

In the House of Representatives, U. S.,

September 20, 1995.

Resolved, That the bill from the Senate (S. 440) entitled “An Act to amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause, and insert:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2 (a) *SHORT TITLE.*—*This Act may be cited as the “Na-*
3 *tional Highway System Designation Act of 1995”.*

4 (b) *TABLE OF CONTENTS.*—

Sec. 1. Short title; table of contents.

Sec. 2. Secretary defined.

TITLE I—NATIONAL HIGHWAY SYSTEM

Sec. 101. National Highway System designation.

TITLE II—HIGHWAY FUNDING RESTORATION

Sec. 201. Short title.

Sec. 202. Findings and purposes.

Sec. 203. State high priority project restoration program.

Sec. 204. Rescissions.

Sec. 205. State unobligated balance flexibility.

Sec. 206. Minimum allocation.

Sec. 207. Relief from mandates.

Sec. 208. Definitions.

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Distribution of transit operating assistance limitation.

Sec. 302. Accountability for high cost Federal-aid projects.

Sec. 303. Letters of intent and full financing grant and early systems work agree-
ments.

- Sec. 304. Report on capital projects.*
- Sec. 305. Repeal and modification of existing projects.*
- Sec. 306. Miscellaneous transit projects.*
- Sec. 307. Metropolitan planning for transit projects.*
- Sec. 308. Contracting for engineering and design services.*
- Sec. 309. Ferry boats and terminal facilities.*
- Sec. 310. Utilization of the private sector for surveying and mapping services.*
- Sec. 311. Formula grant program.*
- Sec. 312. Accessibility of over-the-road buses to individuals with disabilities.*
- Sec. 313. Alaska Railroad.*
- Sec. 314. Alcohol and controlled substances testing.*
- Sec. 315. Alcohol-impaired driving countermeasures.*
- Sec. 316. Safety research initiatives.*
- Sec. 317. Public transit vehicles exemption.*
- Sec. 318. Congestion mitigation and air quality improvement program.*
- Sec. 319. Quality improvement.*
- Sec. 320. Applicability of transportation conformity requirements.*
- Sec. 321. Quality through competition.*
- Sec. 322. Applicability of certain vehicle weight limitations in Wisconsin.*
- Sec. 323. Treatment of Centennial Bridge, Rock Island, Illinois, agreement.*
- Sec. 324. Metric requirements and signs.*
- Sec. 325. ISTEA technical clarification.*
- Sec. 326. Metropolitan planning for highway projects.*
- Sec. 327. Non-Federal share for certain toll bridge projects.*
- Sec. 328. Discovery and admission as evidence of certain reports and surveys.*
- Sec. 329. National recreational trails.*
- Sec. 330. Identification of high priority corridors.*
- Sec. 331. High priority corridor feasibility studies.*
- Sec. 332. High cost bridge projects.*
- Sec. 333. Congestion relief projects.*
- Sec. 334. High priority corridors on National Highway System.*
- Sec. 335. High priority corridor projects.*
- Sec. 336. Rural access projects.*
- Sec. 337. Urban access and mobility projects.*
- Sec. 338. Innovative projects.*
- Sec. 339. Intermodal projects.*
- Sec. 340. Miscellaneous revisions to Surface Transportation and Uniform Relocation Assistance Act of 1987.*
- Sec. 341. Eligibility.*
- Sec. 342. Orange County, California, toll roads.*
- Sec. 343. Miscellaneous studies.*
- Sec. 344. Collection of bridge tolls.*
- Sec. 345. National driver register.*
- Sec. 346. Roadside barrier technology.*
- Sec. 347. Motorist call boxes.*
- Sec. 348. Repeal of national maximum speed limit compliance program.*
- Sec. 349. Elimination of penalty for noncompliance for motorcycle helmets.*
- Sec. 350. Safety rest areas.*
- Sec. 351. Exemptions from requirements relating to commercial motor vehicles and their operators.*
- Sec. 352. Traffic control signs.*
- Sec. 353. Brightman Street Bridge, Fall River Harbor, Massachusetts.*
- Sec. 354. Motor carrier safety program.*
- Sec. 355. Technical amendment.*
- Sec. 356. Safety report.*

Sec. 357. Operation of motor vehicles by intoxicated minors.

Sec. 358. Effectiveness of drunk driving laws.

1 **SEC. 2. SECRETARY DEFINED.**

2 *In this Act, the term “Secretary” means the Secretary*
 3 *of Transportation.*

4 **TITLE I—NATIONAL HIGHWAY**
 5 **SYSTEM**

6 **SEC. 101. NATIONAL HIGHWAY SYSTEM DESIGNATION.**

7 *Section 103 of title 23, United States Code, is amended*
 8 *by inserting after subsection (b) the following:*

9 *“(c) INITIAL DESIGNATION OF NHS.—The National*
 10 *Highway System as submitted by the Secretary of Trans-*
 11 *portation on the map entitled ‘Official Submission, Na-*
 12 *tional Highway System, Federal Highway Administra-*
 13 *tion’, and dated September 1, 1995, is hereby designated*
 14 *within the United States, including the District of Colum-*
 15 *bia and the Commonwealth of Puerto Rico.*

16 *“(d) MODIFICATIONS TO THE NHS.—*

17 *“(1) PROPOSED MODIFICATIONS.—The Secretary*
 18 *may submit for approval to the Committee on Envi-*
 19 *ronment and Public Works of the Senate and the*
 20 *Committee on Transportation and Infrastructure of*
 21 *the House of Representatives proposed modifications*
 22 *to the National Highway System. The Secretary may*
 23 *only propose a modification under this subsection if*
 24 *the Secretary determines that such modification meets*

1 *the criteria and requirements of subsection (b). Pro-*
 2 *posed modifications may include new segments and*
 3 *deletion of existing segments of the National Highway*
 4 *System.*

5 “(2) *APPROVAL OF CONGRESS REQUIRED.*—A
 6 *modification to the National Highway System may*
 7 *only take effect if a law has been enacted approving*
 8 *such modification.*

9 “(3) *REQUIRED SUBMISSIONS.*—

10 “(A) *INITIAL SUBMISSION.*—Not later than
 11 *180 days after the date of the enactment of the*
 12 *National Highway System Designation Act of*
 13 *1995, the Secretary shall submit under para-*
 14 *graph (1) proposed modifications to the National*
 15 *Highway System. Such modifications shall in-*
 16 *clude a list and description of additions to the*
 17 *National Highway System consisting of connec-*
 18 *tions to major ports, airports, international bor-*
 19 *der crossings, public transportation and transit*
 20 *facilities, interstate bus terminals, and rail and*
 21 *other intermodal transportation facilities.*

22 “(B) *CONGRESSIONAL HIGH PRIORITY COR-*
 23 *RIDORS.*—Upon the completion of feasibility
 24 *studies, the Secretary shall submit under para-*
 25 *graph (1) proposed modifications to the National*

1 *Highway System consisting of any congressional*
2 *high priority corridor or any segment thereof es-*
3 *tablished by section 1105 of the Intermodal Sur-*
4 *face Transportation Efficiency Act of 1991 (105*
5 *Stat. 2037) which was not identified on the Na-*
6 *tional Highway System designated by subsection*
7 *(c).*

8 *“(4) INTERIM ELIGIBILITY.—*

9 *“(A) IN GENERAL.—Notwithstanding para-*
10 *graph (2), a modification to the National High-*
11 *way System which adds to the National High-*
12 *way System a connection to a major port, air-*
13 *port, international border crossing, public trans-*
14 *portation or transit facility, interstate bus ter-*
15 *minal, or rail or other intermodal transportation*
16 *facility shall be eligible for funds apportioned*
17 *under section 104(b)(1) for the National High-*
18 *way System if the Secretary finds that such*
19 *modification is consistent with criteria developed*
20 *by the Secretary for such modifications to the*
21 *National Highway System.*

22 *“(B) PERIOD OF ELIGIBILITY.—A modifica-*
23 *tion to the National Highway System which is*
24 *eligible under subparagraph (A) for funds appor-*
25 *tioned under section 104(b)(1) may remain eligi-*

ble for such funds only until the date on which
 a law has been enacted approving modifications
 to the National Highway System which connect
 the National Highway System to facilities re-
 ferred to in subparagraph (A).”.

TITLE II—HIGHWAY FUNDING RESTORATION

SEC. 201. SHORT TITLE.

This title may be cited as the “Highway Funding
 Restoration Act of 1995”.

SEC. 202. FINDINGS AND PURPOSES.

(a) *FINDINGS.*—Congress finds and declares that—

(1) *Federal infrastructure spending on highways
 is critical to the efficient movement of goods and peo-
 ple in the United States;*

(2) *section 1003(c) of the Intermodal Surface
 Transportation Efficiency Act of 1991 has been esti-
 mated to result in fiscal year 1996 highway spending
 being reduced by as much as \$4,200,000,000;*

(3) *such section 1003(c) will cause every State to
 lose critical funds from the Highway Trust Fund that
 can never be recouped; and*

(4) *the funding reduction would have disastrous
 effects on the national economy, impede interstate*

1 *commerce, and jeopardize the 40-year Federal invest-*
 2 *ment in the Nation's highway system.*

3 *(b) PURPOSES.—The purposes of this Act are—*

4 *(1) to make the program categories in the cur-*
 5 *rent Federal-aid highway program more flexible so*
 6 *that States may fund current, high-priority projects*
 7 *in fiscal year 1996;*

8 *(2) to eliminate programs that are not critical*
 9 *during fiscal year 1996 and to reallocate funds so*
 10 *that the States will be able to continue their core*
 11 *transportation infrastructure programs;*

12 *(3) to restore funding for exempt highway pro-*
 13 *grams;*

14 *(4) to ensure the equitable distribution of funds*
 15 *to urbanized areas with a population over 200,000 in*
 16 *a manner consistent with the Intermodal Surface*
 17 *Transportation Efficiency Act of 1991; and*

18 *(5) to suspend certain penalties that would be*
 19 *imposed on the States in fiscal year 1996.*

20 **SEC. 203. STATE HIGH PRIORITY PROJECT RESTORATION**
 21 **PROGRAM.**

22 *(a) IN GENERAL.—On October 1 of each of fiscal years*
 23 *1996 and 1997, or as soon as possible thereafter, the Sec-*
 24 *retary shall allocate among the States the amounts made*
 25 *available to carry out this section for Interstate highway*

1 *substitute, National Highway System, surface transpor-*
 2 *tation program, Interstate, congestion mitigation and air*
 3 *quality improvement program, bridge, hazard elimination,*
 4 *and rail-highway crossings projects.*

5 *(b) ALLOCATION FORMULA.—Funds made available to*
 6 *carry out this section shall be allocated among the States*
 7 *in accordance with the following table:*

<i>States:</i>	<i>Allocation Percentages</i>
<i>Alabama</i>	<i>1.80</i>
<i>Alaska</i>	<i>1.20</i>
<i>Arizona</i>	<i>1.43</i>
<i>Arkansas</i>	<i>1.42</i>
<i>California</i>	<i>9.17</i>
<i>Colorado</i>	<i>1.27</i>
<i>Connecticut</i>	<i>1.74</i>
<i>Delaware</i>	<i>0.39</i>
<i>District of Columbia</i>	<i>0.52</i>
<i>Florida</i>	<i>4.04</i>
<i>Georgia</i>	<i>2.92</i>
<i>Hawaii</i>	<i>0.54</i>
<i>Idaho</i>	<i>0.70</i>
<i>Illinois</i>	<i>3.88</i>
<i>Indiana</i>	<i>2.18</i>
<i>Iowa</i>	<i>1.27</i>
<i>Kansas</i>	<i>1.13</i>
<i>Kentucky</i>	<i>1.53</i>
<i>Louisiana</i>	<i>1.52</i>
<i>Maine</i>	<i>0.65</i>
<i>Maryland</i>	<i>1.68</i>
<i>Massachusetts</i>	<i>4.11</i>
<i>Michigan</i>	<i>2.75</i>
<i>Minnesota</i>	<i>1.69</i>
<i>Mississippi</i>	<i>1.11</i>
<i>Missouri</i>	<i>2.28</i>
<i>Montana</i>	<i>0.93</i>
<i>Nebraska</i>	<i>0.79</i>
<i>Nevada</i>	<i>0.69</i>
<i>New Hampshire</i>	<i>0.48</i>
<i>New Jersey</i>	<i>2.86</i>
<i>New Mexico</i>	<i>1.02</i>
<i>New York</i>	<i>5.35</i>
<i>North Carolina</i>	<i>2.62</i>
<i>North Dakota</i>	<i>0.64</i>
<i>Ohio</i>	<i>3.64</i>
<i>Oklahoma</i>	<i>1.36</i>
<i>Oregon</i>	<i>1.23</i>
<i>Pennsylvania</i>	<i>4.93</i>

<i>Rhode Island</i>	0.56
<i>South Carolina</i>	1.42
<i>South Dakota</i>	0.69
<i>Tennessee</i>	2.00
<i>Texas</i>	6.21
<i>Utah</i>	0.73
<i>Vermont</i>	0.43
<i>Virginia</i>	2.28
<i>Washington</i>	2.05
<i>West Virginia</i>	1.15
<i>Wisconsin</i>	1.90
<i>Wyoming</i>	0.65
<i>Puerto Rico</i>	0.46
<i>Territories</i>	0.01.

1 (c) *EFFECT OF ALLOCATIONS.*—Funds distributed to
2 States under subsection (b) shall not affect calculations to
3 determine allocations to States under section 157 of title
4 23, United States Code, and sections 1013(c), 1015(a), and
5 1015(b) of the Intermodal Surface Transportation Effi-
6 ciency Act of 1991.

7 (d) *PERIOD OF AVAILABILITY.*—Notwithstanding any
8 other provision of law, amounts made available to carry
9 out this section shall be available for obligation for the fiscal
10 year for which such amounts are made available plus the
11 3 succeeding fiscal years and shall be subject to the provi-
12 sions of title 23, United States Code. Obligation limitations
13 for Federal-aid highways and highway safety construction
14 programs established by the Intermodal Surface Transpor-
15 tation Efficiency Act of 1991 and subsequent laws shall
16 apply to obligations made under this section.

17 (e) *SPECIAL RULE FOR URBANIZED AREAS OF OVER*
18 *200,000.*—

1 (1) *GENERAL RULE.*—The percentage determined
 2 under paragraph (2) of funds allocated to a State
 3 under this section for a fiscal year shall be obligated
 4 in urbanized areas of the State with an urbanized
 5 population of over 200,000 under section 133(d)(3) of
 6 title 23, United States Code.

7 (2) *PERCENTAGE.*—The percentage referred to in
 8 paragraph (1) is the percentage determined by divid-
 9 ing—

10 (A) the total amount of the reduction in
 11 funds which would have been attributed under
 12 section 133(d)(3) of title 23, United States Code,
 13 to urbanized areas of the State with an urban-
 14 ized population of over 200,000 for fiscal year
 15 1996 as a result of the application of section
 16 1003(c) of the Intermodal Surface Transpor-
 17 tation Efficiency Act of 1991; by

18 (B) the total amount of the reduction in au-
 19 thorized funds for fiscal year 1996 that would
 20 have been allocated to the State, and that would
 21 have been apportioned to the State, as a result
 22 of the application of such section 1003(c).

23 (f) *LIMITATION ON PLANNING EXPENDITURES.*—One-
 24 half of 1 percent of amounts allocated to each State under
 25 this section in any fiscal year may be available for expendi-

1 ture for the purpose of carrying out the requirements of sec-
 2 tion 134 of title 23, United States Code (relating to trans-
 3 portation planning). 1½ percent of the amounts allocated
 4 to each State under this section in any fiscal year may
 5 be available for expenditure for the purpose of carrying out
 6 activities referred to in subsection (c) of section 307 of such
 7 title (relating to transportation planning and research).

8 (g) *AUTHORIZATION OF APPROPRIATIONS.*—There are
 9 authorized to be appropriated, out of the Highway Trust
 10 Fund (other than the Mass Transit Account), to carry out
 11 this section \$321,420,595 for fiscal year 1996 and
 12 \$155,000,000 for fiscal year 1997.

13 (h) *APPLICABILITY OF CHAPTER 1 OF TITLE 23.*—Ex-
 14 cept as otherwise provided in this section, funds allocated
 15 under this section shall be available for obligation in the
 16 same manner and for the same purposes as if such funds
 17 were apportioned under chapter 1 of title 23, United States
 18 Code.

19 (i) *TERRITORIES DEFINED.*—In this section, the term
 20 “territories” means the Virgin Islands, Guam, American
 21 Samoa, and the Commonwealth of the Northern Mariana
 22 Islands.

23 **SEC. 204. RESCISSIONS.**

24 (a) *RESCISSIONS.*—Effective October 1, 1995, and
 25 after any necessary reductions are made under section

1 1003(c) of the Intermodal Surface Transportation Effi-
2 ciency Act of 1991, the following unobligated balances avail-
3 able on September 30, 1995, of funds made available for
4 the following provisions are hereby rescinded:

5 (1) \$78,993.92 made available by section 131(c)
6 of the Surface Transportation Assistance Act of 1982.

7 (2) \$798,701.04 made available by section 131(j)
8 of the Surface Transportation Assistance Act of 1982.

9 (3) \$942,249 made available for section
10 149(a)(66) of the Surface Transportation and Uni-
11 form Relocation Assistance Act of 1987.

12 (4) \$88,195 made available for section
13 149(a)(111)(C) of the Surface Transportation and
14 Uniform Relocation Assistance Act of 1987.

15 (5) \$155,174.41 made available for section
16 149(a)(111)(E) of the Surface Transportation and
17 Uniform Relocation Assistance Act of 1987.

18 (6) \$36,979.05 made available for section
19 149(a)(111)(J) of the Surface Transportation and
20 Uniform Relocation Assistance Act of 1987.

21 (7) \$34,281.53 made available for section
22 149(a)(111)(K) of the Surface Transportation and
23 Uniform Relocation Assistance Act of 1987.

1 (8) \$164,532 made available for section
2 149(a)(111)(L) of the Surface Transportation and
3 Uniform Relocation Assistance Act of 1987.

4 (9) \$86,070.82 made available for section
5 149(a)(111)(M) of the Surface Transportation and
6 Uniform Relocation Assistance Act of 1987.

7 (10) \$52,834 made available for section
8 149(a)(95) of the Surface Transportation and Uni-
9 form Relocation Assistance Act of 1987.

10 (11) \$909,131 made available for section
11 149(a)(99) of the Surface Transportation and Uni-
12 form Relocation Assistance Act of 1987.

13 (12) \$3,817,000 made available for section
14 149(a)(35) of the Surface Transportation and Uni-
15 form Relocation Assistance Act of 1987.

16 (13) \$797,800 made available for section
17 149(a)(100) of the Surface Transportation and Uni-
18 form Relocation Assistance Act of 1987.

19 (14) \$2 made available by section 149(c)(3) of
20 the Surface Transportation and Uniform Relocation
21 Assistance Act of 1987.

22 (15) \$44,706,878 made available by section
23 1012(b)(6) of the Intermodal Surface Transportation
24 Efficiency Act of 1991.

1 (16) \$15,401,107 made available by section
 2 1003(a)(7) of the Intermodal Surface Transportation
 3 Efficiency Act of 1991.

4 (17) \$1,000,000 made available by item number
 5 38 of the table contained in section 1108(b) of the
 6 Intermodal Surface Transportation Efficiency Act of
 7 1991.

8 (18) \$150,000,000 deducted by the Secretary
 9 under section 104(a) of title 23, United States Code.

10 (19) \$10,800,000 made available by section
 11 5338(a)(1) of title 49, United States Code.

12 (b) REDUCTIONS IN AUTHORIZED AMOUNTS.—

13 (1) MAGNETIC LEVITATION.—Section 1036(d)(1)
 14 of the Intermodal Surface Transportation Efficiency
 15 Act of 1991 (105 Stat. 1986) is amended—

16 (A) in subparagraph (A) by inserting
 17 “and” after “1994,”;

18 (B) in subparagraph (A) by striking
 19 “, \$125,000,000” and all that follows through
 20 “1997”; and

21 (C) in subparagraph (B) by striking “1996,
 22 and 1997” and inserting “and 1996”.

23 (2) HIGHWAY SAFETY PROGRAMS.—Section
 24 2005(1) of such Act (105 Stat. 2079) is amended—

1 (A) by striking “and” the first place it ap-
 2 pears and inserting a comma; and

3 (B) by striking “1996, and 1997” and in-
 4 serting “and 1996, and \$146,000,000 for 1997”.

5 (3) *EFFECTIVE DATE.*—The amendments made
 6 by paragraphs (1) and (2) shall take effect on the day
 7 after the date on which authorized funds for fiscal
 8 year 1996 are reduced as a result of application of
 9 section 1003(c) of such Act.

10 (c) *CONGESTION PRICING PILOT PROGRAM TRANS-*
 11 *FERS.*—After the date on which authorized funds for fiscal
 12 year 1996 are reduced as a result of application of section
 13 1003(c) of the Intermodal Surface Transportation Effi-
 14 ciency Act of 1991, the amounts made available for fiscal
 15 years 1996 and 1997 to carry out section 1012(b) of the
 16 Intermodal Surface Transportation Efficiency Act of 1991
 17 (105 Stat. 1938) shall be available to carry out section 203
 18 of this Act, relating to the State high priority restoration
 19 program.

20 **SEC. 205. STATE UNOBLIGATED BALANCE FLEXIBILITY.**

21 (a) *REDUCTION IN FEDERAL FUNDING.*—

22 (1) *NOTIFICATION OF STATES.*—On October 1,
 23 1995, or as soon as possible thereafter, the Secretary
 24 shall notify each State of the total amount of the re-

1 *duction in authorized funds for fiscal year 1996 that would*
 2 *have been allocated to such State, and that would have been*
 3 *apportioned to such State, as a result of application of sec-*
 4 *tion 1003(c) of the Intermodal Surface Transportation Effi-*
 5 *ciency Act of 1991.*

6 (2) *EXCLUSION OF CERTAIN FUNDING.*—*In deter-*
 7 *mining the amount of any reduction under para-*
 8 *graph (1), the Secretary shall deduct—*

9 (A) *the amount allocated to each State in*
 10 *fiscal year 1996 to carry out section 203 of this*
 11 *Act, relating to the State high priority project*
 12 *restoration program; and*

13 (B) *any amounts made available under sec-*
 14 *tion 157(a)(4)(B)(iii) of title 23, United States*
 15 *Code, for fiscal year 1996.*

16 (b) *UNOBLIGATED BALANCE FLEXIBILITY.*—*Upon re-*
 17 *quest of a State, the Secretary shall make available to carry*
 18 *out projects described in section 203(a) of this Act in fiscal*
 19 *year 1996 an amount not to exceed the amount determined*
 20 *under subsection (a) for the State. Such funds shall be made*
 21 *available from authorized funds that were allocated or ap-*
 22 *portioned to such State and were not obligated as of Sep-*
 23 *tember 30, 1995. The State shall designate on or before No-*
 24 *vember 1, 1995, or as soon as possible thereafter which of*
 25 *such authorized funds are to be made available under this*

1 *section to carry out such projects. The Secretary shall make*
 2 *available before November 15, 1995, or as soon as possible*
 3 *thereafter funds designated under the preceding sentence to*
 4 *the State.*

5 *(c) SPECIAL RULE FOR URBANIZED AREAS OF OVER*
 6 *200,000.—Funds which were apportioned to the State*
 7 *under section 104(b)(3) of title 23, United States Code, and*
 8 *attributed to urbanized areas of a State with an urbanized*
 9 *population of over 200,000 under section 133(d)(3) of such*
 10 *title may only be designated by the State under subsection*
 11 *(b) if the metropolitan planning organization designated*
 12 *for such area concurs, in writing, with such designation.*

13 *(d) CONGESTION MITIGATION AND AIR QUALITY BAL-*
 14 *ANCES.—States may designate under subsection (b) funds*
 15 *apportioned under section 104(b)(2) of title 23, United*
 16 *States Code, and not obligated as of September 30, 1995,*
 17 *to carry out projects described in section 203(a) of this Act*
 18 *only if such funds will be obligated in areas described in*
 19 *section 104(b)(2) of such title or, in the case of a State*
 20 *which does not include such an area, the funds may be obli-*
 21 *gated in any area of the State.*

22 *(e) INTERSTATE CONSTRUCTION BALANCES.—A State*
 23 *may not designate under subsection (b) any more than 1/3*
 24 *of funds apportioned or allocated to the State for Interstate*
 25 *construction and not obligated as of September 30, 1995.*

1 (f) *PERIOD OF AVAILABILITY.*—Notwithstanding any
 2 other provision of law, amounts designated under subsection
 3 (b) shall be available for obligation for the same period for
 4 which such amounts were originally made available for ob-
 5 ligation and shall be subject to the provisions of title 23,
 6 United States Code. Obligation limitations for Federal-aid
 7 highways and highway safety construction programs estab-
 8 lished by the Intermodal Surface Transportation Efficiency
 9 Act of 1991 and subsequent laws shall apply to obligations
 10 made under this section.

11 (g) *LIMITATION ON STATUTORY CONSTRUCTION.*—
 12 Nothing in this section shall be construed to affect calcula-
 13 tions to determine allocations to States under section 157
 14 of title 23, United States Code, and sections 1013(c),
 15 1015(a), and 1015(b) of the Intermodal Surface Transpor-
 16 tation Efficiency Act of 1991.

17 (h) *STATE.*—In this section and section 203, the term
 18 “State” has the meaning such term has under section 401
 19 of title 23, United States Code.

20 **SEC. 206. MINIMUM ALLOCATION.**

21 (a) *FORMULA.*—Section 157(a)(4) of title 23, United
 22 States Code, is amended—

23 (1) by striking “In fiscal” and inserting the
 24 following:

25 “(A) *IN GENERAL.*—In fiscal”;

1 (2) by inserting “funds authorized to be appro-
2 priated by subsection (f)” after “shall allocate”;

3 (3) by moving subparagraph (A), as designated
4 by paragraph (1) of this subsection, 2 ems to the
5 right; and

6 (4) by adding at the end the following:

7 “(B) *ADDITIONAL ALLOCATION.*—If the ag-
8 gregate amount allocated to the States under
9 subparagraph (A) after application of section
10 1003(c) the Intermodal Surface Transportation
11 Efficiency Act of 1991 for any fiscal year begin-
12 ning after September 30, 1995, is less than the
13 amount authorized to be appropriated to carry
14 out this section for such fiscal year, then the ex-
15 cess of such authorized amount shall be allocated
16 as follows:

17 “(i) The Secretary shall first allocate
18 to each State such amount as may be nec-
19 essary to increase the allocation under sub-
20 paragraph (A) to the amount that would
21 have been allocated to the State for such fis-
22 cal year if the full amount of the funds au-
23 thorized to be appropriated for such fiscal
24 year by such Act out of the Highway Trust
25 Fund (other than the Mass Transit Ac-

count) were appropriated without regard to such section 1003(c).

“(ii) If any of such excess remains after the allocation under clause (i), the Secretary shall allocate to each State such amount as may be necessary so that the amount authorized to be appropriated for such fiscal year for each project to be carried out in such State under sections 1103 through 1108 of such Act without regard to section 1003(c) of such Act is available for the project.

“(iii) The Secretary shall allocate among the States any excess remaining after the allocations under clauses (i) and (ii) so that each State is allocated the following percentages of the remaining excess:

<i>“States:</i>	<i>Percentages</i>
<i>Alabama</i>	<i>1.80</i>
<i>Alaska</i>	<i>1.20</i>
<i>Arizona</i>	<i>1.43</i>
<i>Arkansas</i>	<i>1.42</i>
<i>California</i>	<i>9.17</i>
<i>Colorado</i>	<i>1.27</i>
<i>Connecticut</i>	<i>1.74</i>
<i>Delaware</i>	<i>0.39</i>
<i>District of Columbia</i>	<i>0.52</i>
<i>Florida</i>	<i>4.04</i>
<i>Georgia</i>	<i>2.92</i>
<i>Hawaii</i>	<i>0.54</i>
<i>Idaho</i>	<i>0.70</i>
<i>Illinois</i>	<i>3.88</i>
<i>Indiana</i>	<i>2.18</i>
<i>Iowa</i>	<i>1.27</i>
<i>Kansas</i>	<i>1.13</i>

<i>Kentucky</i>	1.53
<i>Louisiana</i>	1.52
<i>Maine</i>	0.65
<i>Maryland</i>	1.68
<i>Massachusetts</i>	4.11
<i>Michigan</i>	2.75
<i>Minnesota</i>	1.69
<i>Mississippi</i>	1.11
<i>Missouri</i>	2.28
<i>Montana</i>	0.93
<i>Nebraska</i>	0.79
<i>Nevada</i>	0.69
<i>New Hampshire</i>	0.48
<i>New Jersey</i>	2.86
<i>New Mexico</i>	1.02
<i>New York</i>	5.35
<i>North Carolina</i>	2.62
<i>North Dakota</i>	0.64
<i>Ohio</i>	3.64
<i>Oklahoma</i>	1.36
<i>Oregon</i>	1.23
<i>Pennsylvania</i>	4.93
<i>Rhode Island</i>	0.56
<i>South Carolina</i>	1.42
<i>South Dakota</i>	0.69
<i>Tennessee</i>	2.00
<i>Texas</i>	6.21
<i>Utah</i>	0.73
<i>Vermont</i>	0.43
<i>Virginia</i>	2.28
<i>Washington</i>	2.05
<i>West Virginia</i>	1.15
<i>Wisconsin</i>	1.90
<i>Wyoming</i>	0.65
<i>Puerto Rico</i>	0.46
<i>Territories</i>	0.01.

1 “(C) *TERRITORIES DEFINED.*—*In this*
2 *paragraph, the term ‘territories’ means the Vir-*
3 *gin Islands, Guam, American Samoa, and the*
4 *Commonwealth of the Northern Mariana Is-*
5 *lands.’.*”

6 (b) *SPECIAL RULE FOR URBANIZED AREAS OF OVER*
7 *200,000 IN FISCAL YEARS 1996 AND 1997.*—*Section 157*
8 *of such title is amended—*

1 (1) by redesignating subsections (d) and (e) as
2 subsection (e) and (f), respectively, and

3 (2) by inserting after subsection (c) the follow-
4 ing:

5 “(d) *SPECIAL RULE FOR URBANIZED AREAS OF OVER*
6 *200,000 IN FISCAL YEARS 1996 AND 1997.*—

7 “(1) *GENERAL RULE.*—The percentage deter-
8 mined under paragraph (2) of funds allocated to a
9 State under subsection (a)(4)(B)(iii) for each of fiscal
10 years 1996 and 1997 shall be obligated in urbanized
11 areas of the State with an urbanized population of
12 over 200,000 under section 133(d)(3).

13 “(2) *PERCENTAGE.*—The percentage referred to
14 in paragraph (1) is the percentage determined by di-
15 viding—

16 “(A) the total amount of the reduction in
17 funds which would have been attributed under
18 section 133(d)(3) to urbanized areas of the State
19 with an urbanized population of over 200,000
20 for fiscal year 1996 as a result of the application
21 of section 1003(c) of the Intermodal Surface
22 Transportation Efficiency Act of 1991; by

23 “(B) the total amount of the reduction in
24 authorized funds for fiscal year 1996 that would
25 have been allocated to the State, and that would

1 *have been apportioned to the State, as a result*
 2 *of the application of such section 1003(c).”.*

3 (c) *FUNDING.*—Section 157(f) of such title, as redesign-
 4 *ated by subsection (b), is amended by inserting before the*
 5 *period the following: “and before October 1, 1995,*
 6 *\$1,101,000,000 for fiscal year 1996, \$1,378,000,000 for fis-*
 7 *cal year 1997”.*

8 **SEC. 207. RELIEF FROM MANDATES.**

9 (a) *MANAGEMENT SYSTEMS.*—The Secretary shall not
 10 *take any action pursuant to or enforce the provisions of*
 11 *section 303(c) of title 23, United States Code, with respect*
 12 *to any State during fiscal year 1996.*

13 (b) *ASPHALT PAVEMENT CONTAINING RECYCLED RUB-*
 14 *BER.*—Section 1038 of the Intermodal Surface Transpor-
 15 *tation Efficiency Act of 1991 (105 Stat. 1987–1990) is*
 16 *amended—*

17 (1) *by striking subsection (d); and*

18 (2) *by redesignating subsection (e) as subsection*

19 (d).

20 **SEC. 208. DEFINITIONS.**

21 *In this title, the following definitions apply:*

22 (1) *AUTHORIZED FUNDS.*—The term “authorized
 23 *funds” means funds authorized to be appropriated out*
 24 *of the Highway Trust Fund (other than the Mass*
 25 *Transit Account) to carry out title 23, United States*

1 *Code (other than sections 402 and 410) and the Inter-*
 2 *modal Surface Transportation Efficiency Act of 1991*
 3 *and subject to an obligation limitation.*

4 (2) *URBANIZED AREA.*—*The term “urbanized*
 5 *area” has the meaning such term has under section*
 6 *101(a) of title 23, United States Code.*

7 ***TITLE III—MISCELLANEOUS***
 8 ***PROVISIONS***

9 ***SEC. 301. DISTRIBUTION OF TRANSIT OPERATING ASSIST-***
 10 ***ANCE LIMITATION.***

11 (a) *IN GENERAL.*—*Notwithstanding section 5336(d) of*
 12 *title 49, United States Code, the Secretary shall distribute*
 13 *the limitation on operating assistance under such section—*

14 (1) *so that each urbanized area (as such term is*
 15 *defined under section 5302 of such title) that had a*
 16 *population under the 1990 decennial census of the*
 17 *United States of less than 200,000 will receive, under*
 18 *the distribution of such limitation for each of fiscal*
 19 *years 1996 and 1997, 75 percent of the amount the*
 20 *area received under the distribution of such limita-*
 21 *tion for fiscal year 1995; and*

22 (2) *so that an urbanized area that had a popu-*
 23 *lation under the 1980 decennial census of the United*
 24 *States of more than 1,000,000 and has a population*

1 under the 1990 decennial census of less than
 2 1,000,000, will receive under the distribution of such
 3 limitation for each of fiscal years 1996 and 1997, 90
 4 percent of the amount of funds apportioned in fiscal
 5 year 1982 under sections 5(a)(1)(A), 5(a)(2)(A), and
 6 5(a)(3)(A) of the Urban Mass Transportation Act of
 7 1964 to such area.

8 (b) *CONSIDERATION.*—In the distribution of the limi-
 9 tation referred to in subsection (a) to urbanized areas that
 10 had a population under the 1990 decennial census of
 11 1,000,000 or more, the Secretary shall direct each such area
 12 to give priority consideration to the impact of reductions
 13 in operating assistance on smaller transit authorities oper-
 14 ating within the area and to consider the needs and re-
 15 sources of such transit authorities when the limitation is
 16 distributed among all transit authorities operating in the
 17 area.

18 **SEC. 302. ACCOUNTABILITY FOR HIGH COST FEDERAL-AID**
 19 **PROJECTS.**

20 (a) *REQUIREMENTS.*—The Secretary shall require each
 21 recipient of Federal financial assistance for a highway or
 22 transit project with an estimated total cost of
 23 \$1,000,000,000 or more to submit to the Secretary an an-
 24 nual financial plan. Such plan shall be based on detailed
 25 annual estimates of the cost to complete the remaining ele-

1 *ments of the project and on reasonable assumptions, as de-*
 2 *termined by the Secretary, of future increases in the cost*
 3 *to complete the project.*

4 *(b) RECOMMENDATIONS ON WITHHOLDING OF ASSIST-*
 5 *ANCE.—As part of an annual report to be submitted under*
 6 *subsection (c), the Secretary shall make a recommendation*
 7 *to Congress on whether or not future Federal assistance*
 8 *should be withheld with respect to any project described in*
 9 *subsection (a) for which an annual financial plan is not*
 10 *submitted under subsection (a) or for which the Secretary*
 11 *determines that the estimates or assumptions referred to in*
 12 *subsection (a) are not reasonable.*

13 *(c) REPORT.—The Secretary shall submit to Congress*
 14 *an annual report on the financial plans submitted to the*
 15 *Secretary under this section, and any recommendation*
 16 *made by the Secretary under subsection (b), in the preced-*
 17 *ing fiscal year.*

18 **SEC. 303. LETTERS OF INTENT AND FULL FINANCING**
 19 **GRANT AND EARLY SYSTEMS WORK**
 20 **AGREEMENTS.**

21 *Section 5309(g) of title 49, United States Code, is*
 22 *amended—*

23 *(1) by indenting and dropping paragraph (1)*
 24 *down 1 line;*

1 (2) by moving all the paragraphs, subpara-
2 graphs, and clauses of such section 2 ems to the right;

3 (3) by inserting after “(1)” the first place it ap-
4 pears the following: “LETTERS OF INTENT.—”;

5 (4) in paragraph (1)(B) by striking “Public
6 Works and Transportation” and inserting “Transpor-
7 tation and Infrastructure”;

8 (5) by inserting after (2) the first place it ap-
9 pears “FULL FINANCING GRANT AGREEMENTS.—”;

10 (6) by inserting after (3) the first place it ap-
11 pears “EARLY SYSTEM WORK AGREEMENTS.—”;

12 (7) by inserting after (4) the first place it ap-
13 pears “TOTAL ESTIMATED FUTURE OBLIGATIONS AND
14 CONTINGENT COMMITMENTS.—”; and

15 (8) by adding at the end the following:

16 “(5) PREAUTHORIZATION OF FULL FEDERAL FI-
17 NANCIAL RESPONSIBILITY.—

18 “(A) IN GENERAL.—After the date of the en-
19 actment of this paragraph and before the date on
20 which Federal-aid highway and transit pro-
21 grams are reauthorized, the Secretary of Trans-
22 portation may not issue a letter of intent, or
23 enter into a full financing grant agreement or
24 early systems work agreement, under this section
25 for a project or operable segment of a project un-

1 *less the full amount of Federal financial respon-*
 2 *sibility for the project or operable segment of a*
 3 *project has been included in an authorization*
 4 *law.*

5 “(B) *LIMITATION.*—*The prohibition on en-*
 6 *tering into a full financing grant agreement*
 7 *under this paragraph shall not apply—*

8 *“(i) to any project for which a letter of*
 9 *intent was issued before the date of the en-*
 10 *actment of this paragraph; and*

11 *“(ii) to any project included as an ele-*
 12 *ment of an interrelated project which also*
 13 *includes another project for which a letter of*
 14 *intent was issued before such date of enact-*
 15 *ment.”.*

16 ***SEC. 304. REPORT ON CAPITAL PROJECTS FOR FIXED***
 17 ***GUIDEWAY SYSTEMS AND EXTENSIONS TO EX-***
 18 ***ISTING FIXED GUIDEWAY SYSTEMS.***

19 *Section 5309(m) of title 49, United States Code, is*
 20 *amended—*

21 *(1) by indenting and dropping paragraph (1)*
 22 *down 1 line;*

23 *(2) by moving all the paragraphs and subpara-*
 24 *graphs of such section 2 ems to the right;*

1 (3) by inserting “*PERCENTAGES.—*” after “(1)”
2 *the first place it appears;*

3 (4) by inserting “*NONURBANIZED AREA ALLOCA-*
4 *TION.—*” after “(2)” *the first place it appears;*

5 (5) by inserting “*REPORTS.—*” after “(3)” *the*
6 *first place it appears;*

7 (6) in paragraph (3) by striking “*Public Works*
8 *and Transportation*” and inserting “*Transportation*
9 *and Infrastructure*”;

10 (7) in paragraph (3) by striking “*a proposal on*
11 *the allocation*” and inserting “*a report on the pro-*
12 *posed allocation*”;

13 (8) in paragraph (3) by adding at the end the
14 *following:*

15 “*Such report shall include for each such capital*
16 *project the following:*

17 “(A) *An analysis of the potential funding*
18 *requirements of the project under paragraph*
19 *(1)(B) in the succeeding 5 fiscal years.*

20 “(B) *A description of the planning and*
21 *study process undertaken to select the locally pre-*
22 *ferred alternative for the project.*

23 “(C) *A description of efforts undertaken to*
24 *seek alternative funding sources for the project.”;*

25 *and*

1 (9) by inserting “MULTIPLE ALLOCATIONS.—”
 2 after “(4)” the first place it appears.

3 **SEC. 305. REPEAL AND MODIFICATION OF EXISTING**
 4 **PROJECTS.**

5 (a) LONG BEACH METRO LINK FIXED RAIL
 6 PROJECT.—Section 3035(o) of the Intermodal Surface
 7 Transportation Efficiency Act of 1991 (105 Stat. 2131) is
 8 repealed.

9 (b) HONOLULU RAPID TRANSIT PROJECT.—Section
 10 3035(ww) of such Act (105 Stat. 2136) is amended by strik-
 11 ing “\$618,000,000” and inserting “\$541,100,000”.

12 **SEC. 306. MISCELLANEOUS TRANSIT PROJECTS.**

13 (a) NEW JERSEY URBAN CORE PROJECT.—Section
 14 3031(d) of the Intermodal Surface Transportation Effi-
 15 ciency Act of 1991 (105 Stat. 2122–2123) is amended—

16 (1) by inserting after “Hudson River Waterfront
 17 Transportation System” the following: “(including
 18 corridor connections to and within the city of Ba-
 19 yonne)”; and

20 (2) by inserting after “Concourse,” the following:
 21 “the West Shore Line,”.

22 (b) NORTH BAY FERRY SERVICE.—Section 3035(c) of
 23 such Act (105 Stat. 2129) is amended by striking
 24 “\$8,000,000” and all that follows through “1993” and in-
 25 serting “\$17,000,000”.

1 (c) *STATEN ISLAND-MIDTOWN MANHATTAN FERRY*
 2 *SERVICE*.—Section 3035(d) of such Act is amended by
 3 striking “\$1,000,000” and all that follows through “1993”
 4 and inserting “\$12,000,000”.

5 (d) *CENTRAL AREA CIRCULATOR PROJECT*.—Section
 6 3035(e) of such Act is amended by striking the last sentence
 7 which begins “Such amount”.

8 (e) *SALT LAKE CITY LIGHT RAIL PROJECT*.—Section
 9 3035(f) of such Act is amended by inserting after “includ-
 10 ing” the following: “related high-occupancy vehicle lane,
 11 intermodal corridor design,”.

12 (f) *LOS ANGELES-SAN DIEGO RAIL CORRIDOR IM-*
 13 *PROVEMENT PROJECT*.—Section 3035(g) of such Act is
 14 amended by striking “not less than” the 1st place it appears
 15 and all that follows through “1994” and inserting
 16 “\$20,000,000”.

17 (g) *SAN JOSE-GILROY-HOLLISTER COMMUTER RAIL*
 18 *PROJECT*.—Section 3035(h) of such Act is amended—

19 (1) by striking “July 1, 1994” and inserting
 20 “September 30, 1996”; and

21 (2) by striking “August 1, 1994,” and inserting
 22 “October 31, 1996,”.

23 (h) *DALLAS LIGHT RAIL PROJECT*.—

24 (1) *MULTIYEAR GRANT AGREEMENT*.—Section
 25 3035(i) of such Act is amended—

1 (A) by striking “6.4 miles” and inserting
2 “9.6 miles”;

3 (B) by striking “10 stations” and inserting
4 “not to exceed 14 stations”;

5 (C) by striking “such light rail line” and
6 inserting “the program of interrelated projects
7 identified in section 5328(c)(1)(G) of title 49,
8 United States Code,”; and

9 (D) by striking “of such elements” and in-
10 serting “element of such program of interrelated
11 projects”.

12 (2) PROGRAM OF INTERRELATED PROJECTS.—
13 Section 5328(c)(1)(G) of title 49, United States Code,
14 is amended by striking “Camp Wisdom” and insert-
15 ing “Interstate Route 20, L.B.J. Freeway”.

16 (i) KANSAS CITY LIGHT RAIL LINE.—Section 3035(k)
17 of such Act is amended by striking “\$1,500,000 in fiscal
18 year 1992, and \$4,400,000 in fiscal year 1993” and insert-
19 ing “\$5,900,000”.

20 (j) DOWNTOWN ORLANDO CIRCULATOR PROJECT.—
21 Section 3035(l) of such Act is amended—

22 (1) by striking the subsection heading and in-
23 serting “DOWNTOWN ORLANDO CIRCULATOR
24 PROJECT”;

1 (2) by striking “No later than April 30, 1992,
2 the” and inserting “The”;

3 (3) by striking “for” the second place it appears
4 and all that follows through the period at the end and
5 inserting “and the completion of final design, con-
6 struction, land and equipment acquisition, and relat-
7 ed activities for the Downtown Orlando Circulator
8 project.”.

9 (k) DETROIT LIGHT RAIL PROJECT.—Section 3035(m)
10 of such Act is amended by striking “not less than” the first
11 place it appears and all that follows through “1993,” and
12 inserting “\$20,000,000”.

13 (l) LAKEWOOD-FREEHOLD-MATAWAN OR JAMES- BURG
14 RAIL PROJECT.—Section 3035(p) of such Act is amended
15 by striking “\$1,800,000” and all that follows through
16 “1994” and inserting “\$7,800,000”.

17 (m) CHARLOTTE LIGHT RAIL STUDY.—Section
18 3035(r) of such Act is amended by striking “\$125,000” and
19 all that follows through “1993” and inserting “\$500,000”.

20 (n) SAN DIEGO MID COAST FIXED GUIDEWAY
21 PROJECT.—Section 3035(u) of such Act is amended—

22 (1) in the subsection heading by striking “MID
23 COAST LIGHT RAIL PROJECT” and inserting “MET-
24 ROPOLITAN TRANSIT IMPROVEMENT PROGRAM”;

1 (2) by striking “No later than April 30, 1992,
2 the” and inserting “The”; and

3 (3) by striking “, \$2,000,000” and all that fol-
4 lows through the period and inserting “\$27,000,000
5 for the integrated project financing of the San Diego
6 Mid Coast and Mission Valley East Corridor fixed
7 guideway projects.”.

8 (o) EUREKA SPRINGS, ARKANSAS.—Section 3035(z) of
9 such Act is amended by striking the text and inserting the
10 following: “From funds made available under section
11 5309(m)(1)(C) of title 49, United States Code, the Secretary
12 shall make available \$63,600 to Eureka Springs Transit for
13 the purchase of an alternative fueled vehicle which is acces-
14 sible to and usable by individuals with disabilities.”.

15 (p) BALTIMORE-WASHINGTON TRANSPORTATION IM-
16 PROVEMENTS PROGRAM.—Section 3035(nn) of such Act is
17 amended—

18 (1) in paragraph (1) by striking “as follows:”
19 and all that follows through “1994.” and inserting
20 “and shall not be less than \$60,000,000.”;

21 (2) in paragraph (2) by striking “as follows:”
22 and all that follows through the period at the end of
23 subparagraph (C) and inserting “and shall total
24 \$160,000,000.”; and

1 (3) in paragraph (3) by striking “for fiscal year
2 1993”.

3 (q) DULLES CORRIDOR RAIL PROJECT.—Section
4 3035(aaa) of such Act is amended—

5 (1) by striking “No later than April 30, 1992,
6 the” and inserting “The”; and

7 (2) by striking “the completion” and all that fol-
8 lows through “engineering for”.

9 (r) CENTRAL PUGET SOUND REGIONAL TRANSIT
10 PROJECT.—Section 3035(bbb) of such Act is amended to
11 read as follows:

12 “(bbb) CENTRAL PUGET SOUND REGIONAL TRANSIT
13 PROJECT.—From funds made available under section
14 5309(m)(1)(B) of title 49, United States Code, the Secretary
15 shall make available \$300,000,000 for the Central Puget
16 Sound Regional Transit Project.”.

17 (s) CANAL STREET CORRIDOR LIGHT RAIL.—Section
18 3035(fff) of such Act is amended—

19 (1) by striking “No later than April 30, 1992,
20 the” and inserting “The”; and

21 (2) by striking “negotiate” and all that follows
22 through “includes” and inserting “make available”.

23 (t) SUSPENDED LIGHT RAIL SYSTEM TECHNOLOGY
24 PILOT PROJECT.—Section 5320 of title 49, United States
25 Code, is amended—

1 (1) in subsection (h)(1)(A) by striking “for the
2 fiscal year ending September 30, 1992,”;

3 (2) in subsection (h)(1)(B) by striking “for the
4 fiscal year ending September 30, 1993,”;

5 (3) in subsection (h)(1)(C) by striking “for the
6 fiscal year ending September 30, 1994,”; and

7 (4) by adding at the end the following new sub-
8 section:

9 “(l) DEADLINE.—

10 “(1) COMPLETION OF COMPETITION.—Notwith-
11 standing any other provision of this section, not later
12 than 60 days after the date of the enactment of this
13 subsection, the Secretary shall complete the national
14 competition initiated under subsection (c) by selecting
15 the public entity referred to in subsection (c)(3).

16 “(2) THEREAFTER.—Following selection of the
17 public entity in accordance with paragraph (1)—

18 “(A) the Secretary shall make to such public
19 entity the payments under subsections (h)(1)(B)
20 and (h)(1)(C); except that such payments shall
21 be made in the form of grants under section
22 5312(a); and

23 “(B) the Secretary, upon completion of pre-
24 liminary engineering and design, shall negotiate
25 and enter into a full financing grant agreement

1 with such public entity under subsection (e), con-
 2 sistent with section 5309(g).”.

3 (u) *ADDITIONAL TRANSIT PROJECTS.*—

4 (1) *CANTON-AKRON-CLEVELAND COMMUTER*
 5 *RAIL.*—From funds made available under section
 6 5309(m)(1)(B) of title 49, United States Code, the
 7 Secretary shall make available \$6,500,000 for the
 8 Canton-Akron-Cleveland Commuter Rail project.

9 (2) *CINCINNATI NORTHEAST/NORTHERN KEN-*
 10 *TUCKY RAIL.*—From funds made available under such
 11 section, the Secretary shall make available \$2,000,000
 12 for the Cincinnati Northeast/Northern Kentucky Rail
 13 project.

14 (3) *DART NORTH CENTRAL LIGHT RAIL EXTEN-*
 15 *SION.*—From funds made available under such sec-
 16 tion, the Secretary shall make available \$2,500,000
 17 for the DART North Central Light Rail Extension
 18 project.

19 (4) *DALLAS-FORT WORTH RAILTRAN.*—From
 20 funds made available under such section, the Sec-
 21 retary shall make available \$5,000,000 for the Dallas-
 22 Fort Worth RAILTRAN project.

23 (5) *FLORIDA TRI-COUNTY COMMUTER RAIL.*—
 24 From funds made available under such section, the

1 *Secretary shall make available \$10,000,000 for the*
2 *Florida Tri-County Commuter Rail project.*

3 (6) *MIAMI-NORTH 27TH AVENUE.—From funds*
4 *made available under such section, the Secretary shall*
5 *make available \$2,000,000 for the Miami-North 27th*
6 *Avenue project.*

7 (7) *MEMPHIS, TENNESSEE, REGIONAL RAIL*
8 *PLAN.—From funds made available under such sec-*
9 *tion, the Secretary shall make available \$2,500,000*
10 *for the Memphis, Tennessee, Regional Rail Plan*
11 *project.*

12 (8) *NEW ORLEANS CANAL STREET CORRIDOR.—*
13 *From funds made available under such section, the*
14 *Secretary shall make available \$10,000,000 for the*
15 *New Orleans Canal Street Corridor project.*

16 (9) *ORANGE COUNTY TRANSITWAY.—From funds*
17 *made available under such section, the Secretary shall*
18 *make available \$5,000,000 for the Orange County*
19 *Transitway project.*

20 (10) *WHITEHALL FERRY TERMINAL, NEW YORK,*
21 *NEW YORK.—From funds made available under such*
22 *section, the Secretary shall make available \$5,000,000*
23 *for the Whitehall Ferry Terminal project.*

24 (11) *WISCONSIN CENTRAL COMMUTER.—From*
25 *funds made available under such section, the Sec-*

1 retary shall make available \$14,400,000 for the Wis-
 2 consin Central Commuter project.

3 (12) *SAN JUAN, PUERTO RICO, TREN URBANO.*—
 4 From funds made available under such section, the
 5 Secretary shall make available \$15,000,000 for the
 6 San Juan, Puerto Rico, Tren Urbano project.

7 (13) *TAMPA TO LAKELAND COMMUTER RAIL.*—
 8 From funds made available under such section, the
 9 Secretary shall make available \$1,000,000 for the
 10 Tampa to Lakeland Commuter Rail project.

11 **SEC. 307. METROPOLITAN PLANNING FOR TRANSIT**
 12 **PROJECTS.**

13 Section 5303(b) of title 49, United States Code, is
 14 amended by adding at the end the following:

15 “(16) recreational travel and tourism.”.

16 **SEC. 308. CONTRACTING FOR ENGINEERING AND DESIGN**
 17 **SERVICES.**

18 Section 5325 of title 49, United States Code, is amend-
 19 ed by adding at the end the following:

20 “(e) *SPECIAL RULES FOR ENGINEERING AND DESIGN*
 21 *CONTRACTS.*—

22 “(1) *PERFORMANCE AND AUDITS.*—Any contract
 23 or subcontract awarded in accordance with subsection
 24 (d), whether funded in whole or in part with Federal
 25 transit funds, shall be performed and audited in com-

1 *pliance with cost principles contained in the Federal*
2 *acquisition regulations of part 31 of title 48 of the*
3 *Code of Federal Regulations.*

4 “(2) *INDIRECT COST RATES.*—*Instead of per-*
5 *forming its own audits, a recipient of funds under a*
6 *contract or subcontract awarded in accordance with*
7 *subsection (d) shall accept indirect cost rates estab-*
8 *lished in accordance with the Federal acquisition reg-*
9 *ulations for 1-year applicable accounting periods by*
10 *a cognizant Federal or State government agency, if*
11 *such rates are not currently under dispute. Once a*
12 *firm’s indirect cost rates are accepted, the recipient of*
13 *such funds shall apply such rates for the purposes of*
14 *contract estimation, negotiation, administration, re-*
15 *porting, and contract payment and shall not be lim-*
16 *ited by administrative or de facto ceilings of any*
17 *kind. A recipient of such funds requesting or using*
18 *the cost and rate data described in this paragraph*
19 *shall notify any affected firm before such request or*
20 *use. Such data shall be confidential and shall not be*
21 *accessible or provided, in whole or in part, to another*
22 *firm or to any government agency which is not part*
23 *of the group of agencies sharing cost data under this*
24 *paragraph, except by written permission of the au-*

1 dited firm. If prohibited by law, such cost and rate
2 data shall not be disclosed under any circumstances.

3 “(3) *STATE OPTION.*—Paragraphs (1) and (2)
4 shall take effect 2 years after the date of the enact-
5 ment of this subsection with respect to all States; ex-
6 cept that if a State, during such 2-year period, adopts
7 by statute an alternative process intended to promote
8 engineering and design quality and ensure maximum
9 competition by professional companies of all sizes
10 providing engineering and design services, such para-
11 graphs shall not apply with respect to such State.”.

12 **SEC. 309. FERRY BOATS AND TERMINAL FACILITIES.**

13 Section 129(c)(5) of title 23, United States Code, is
14 amended—

15 (1) by inserting before the period at the end of
16 the first sentence the following: “or between a point
17 in a State and a point in the Dominion of Canada”;
18 and

19 (2) in the second sentence by inserting after
20 “Puerto Rico” the following: “, between a point in a
21 State and a point in the Dominion of Canada,”.

22 **SEC. 310. UTILIZATION OF THE PRIVATE SECTOR FOR SUR-**
23 **VEYING AND MAPPING SERVICES.**

24 Section 306 of title 23, United States Code, is amend-
25 ed—

1 (1) by inserting “(a) *IN GENERAL.*—” before
2 *“In”*; and

3 (2) by adding at the end the following:

4 “(b) *GUIDANCE.*—*The Secretary shall issue guidance*
5 *to encourage States to utilize, to the maximum extent prac-*
6 *ticable, private sector sources for surveying and mapping*
7 *services for highway projects under this title. In carrying*
8 *out this subsection, the Secretary shall determine appro-*
9 *priate roles for State and private mapping and surveying*
10 *activities, including—*

11 “(1) *preparation of standards and specifications;*

12 “(2) *research in surveying and mapping instru-*
13 *mentation and procedures and technology transfer to*
14 *the private sector;*

15 “(3) *providing technical guidance, coordination,*
16 *and administration of State surveying and mapping*
17 *activities; and*

18 “(4) *establishing a schedule with quantifiable*
19 *goals for increasing the use by the States of private*
20 *sector sources for surveying and mapping activities.”.*

21 **SEC. 311. FORMULA GRANT PROGRAM.**

22 (a) *TRANSIT SECURITY SYSTEMS.*—*Section*
23 *5307(d)(1)(J)(i) of title 49, United States Code, is amended*
24 *by inserting before “and any other” the following: “employ-*

1 *ing law enforcement or security personnel in areas within*
 2 *or adjacent to such systems,”.*

3 *(b) FERRYBOAT OPERATIONS.—For purposes of cal-*
 4 *culating apportionments under section 5336 of title 49,*
 5 *United States Code, for fiscal years beginning after Septem-*
 6 *ber 30, 1995, 50 percent of the ferryboat revenue vehicle*
 7 *miles and 50 percent of the ferryboat route miles attrib-*
 8 *utable to service provided to the city of Avalon, California,*
 9 *for which the operator receives public assistance shall be*
 10 *included in the calculation of “fixed guideway vehicle reve-*
 11 *nue miles” and “fixed guideway route miles” attributable*
 12 *to the Los Angeles urbanized area under sections*
 13 *5336(b)(2)(A) and 5335 of such title.*

14 **SEC. 312. ACCESSIBILITY OF OVER-THE-ROAD BUSES TO IN-**
 15 **DIVIDUALS WITH DISABILITIES.**

16 *Section 306(a)(2)(B)(iii) of the Americans With Dis-*
 17 *abilities Act of 1990 (42 U.S.C. 12186(a)(2)(B)(iii)) is*
 18 *amended—*

19 *(1) in subclause (I) by striking “7 years after the*
 20 *date of the enactment of this Act” and inserting “3*
 21 *years after the date of issuance of final regulations*
 22 *under subparagraph (B)(ii)”;* and

23 *(2) in subclause (II) by striking “6 years after*
 24 *such date of enactment” and inserting “2 years after*
 25 *the date of issuance of such final regulations”.*

1 **SEC. 313. ALASKA RAILROAD.**

2 *Section 5337(a)(3)(B) of title 49, United States Code,*
 3 *is amended by adding at the end the following: “The Alaska*
 4 *Railroad is eligible for assistance under this subparagraph*
 5 *with respect to improvements to its passenger operations.”.*

6 **SEC. 314. ALCOHOL AND CONTROLLED SUBSTANCES**

7 **TESTING.**

8 *(a) MASS TRANSIT TESTING.—Section 5331(b)(1)(A)*
 9 *of title 49, United States Code, is amended to read as*
 10 *follows:*

11 *“(b) TESTING PROGRAM FOR MASS TRANSPORTATION*
 12 *EMPLOYEES.—(1)(A) In the interest of mass transportation*
 13 *safety, the Secretary shall prescribe regulations that estab-*
 14 *lish a program requiring mass transportation operations*
 15 *that receive financial assistance under section 5307, 5309,*
 16 *or 5311 of this title or section 103(e)(4) of title 23 to con-*
 17 *duct preemployment, reasonable suspicion, random, and*
 18 *post-accident testing of mass transportation employees re-*
 19 *sponsible for safety-sensitive functions (as decided by the*
 20 *Secretary) for the use of a controlled substance in violation*
 21 *of law or a United States Government regulation, and to*
 22 *conduct reasonable suspicion, random, and post-accident*
 23 *testing of such employees for the use of alcohol in violation*
 24 *of law or a United States Government regulation. The regu-*
 25 *lations shall permit such operations to conduct*

1 *preemployment testing of such employees for the use of*
2 *alcohol.”.*

3 *(b) RAILROAD TESTING.—Section 20140(b)(1)(A) of*
4 *title 49, United States Code, is amended to read as follows:*

5 *“(A) a railroad carrier to conduct*
6 *preemployment, reasonable suspicion, random, and*
7 *post-accident testing of all railroad employees respon-*
8 *sible for safety-sensitive functions (as decided by the*
9 *Secretary) for the use of a controlled substance in vio-*
10 *lation of law or a United States Government regula-*
11 *tion, and to conduct reasonable suspicion, random,*
12 *and post-accident testing of such employees for the use*
13 *of alcohol in violation of law or a United States Gov-*
14 *ernment regulation; the regulations shall permit such*
15 *railroad carriers to conduct preemployment testing of*
16 *such employees for the use of alcohol; and”.*

17 *(c) MOTOR CARRIER TESTING.—Section*
18 *31306(b)(1)(A) of such title is amended to read as follows:*

19 *“(b) TESTING PROGRAM FOR OPERATORS OF COMMER-*
20 *CIAL MOTOR VEHICLES.—(1)(A) In the interest of commer-*
21 *cial motor vehicle safety, the Secretary of Transportation*
22 *shall prescribe regulations that establish a program requir-*
23 *ing motor carriers to conduct preemployment, reasonable*
24 *suspicion, random, and post-accident testing of operators*
25 *of commercial motor vehicles for the use of controlled sub-*

1 *stance in violation of law or a United States Government*
 2 *regulation and to conduct reasonable suspicion, random,*
 3 *and post-accident testing of such operators for the use of*
 4 *alcohol in violation of law or a United States Government*
 5 *regulation. The regulations shall permit such motor carriers*
 6 *to conduct preemployment testing of such employees for the*
 7 *use of alcohol.”.*

8 *(d) AVIATION TESTING.—*

9 *(1) PROGRAM FOR EMPLOYEES OF AIR CARRIERS*
 10 *AND FOREIGN AIR CARRIERS.—Section 45102(a)(1) of*
 11 *title 49, United States Code, is amended to read as*
 12 *follows:*

13 *“(a) PROGRAM FOR EMPLOYEES OF AIR CARRIERS*
 14 *AND FOREIGN AIR CARRIERS.—(1) In the interest of avia-*
 15 *tion safety, the Administrator of the Federal Aviation Ad-*
 16 *ministration shall prescribe regulations that establish a*
 17 *program requiring air carriers and foreign air carriers to*
 18 *conduct preemployment, reasonable suspicion, random, and*
 19 *post-accident testing of airmen, crewmembers, airport secu-*
 20 *rity screening contract personnel, and other air carrier em-*
 21 *ployees responsible for safety-sensitive functions (as decided*
 22 *by the Administrator) for the use of a controlled substance*
 23 *in violation of law or a United States Government regula-*
 24 *tion; and to conduct reasonable suspicion, random, and*
 25 *post-accident testing of airmen, crewmembers, airport secu-*

1 rity screening contract personnel, and other air carrier em-
 2 ployees responsible for safety-sensitive functions (as decided
 3 by the Administrator) for the use of alcohol in violation
 4 of law or a United States Government regulation. The regu-
 5 lations shall permit air carriers and foreign air carriers
 6 to conduct preemployment testing of airmen, crewmembers,
 7 airport security screening contract personnel, and other air
 8 carrier employees responsible for safety-sensitive functions
 9 (as decided by the Administrator) for the use of alcohol.”.

10 (2) PROGRAM FOR EMPLOYEES OF THE FEDERAL
 11 AVIATION ADMINISTRATION.—Section 45102(b)(1) of
 12 title 49, United States Code, is amended to read as
 13 follows:

14 “(b) PROGRAM FOR EMPLOYEES OF THE FEDERAL
 15 AVIATION ADMINISTRATION.—(1) The Administrator shall
 16 establish a program of preemployment, reasonable sus-
 17 picion, random, and post-accident testing for the use of a
 18 controlled substance in violation of law or a United States
 19 Government regulation for employees of the Administration
 20 whose duties include responsibility for safety-sensitive func-
 21 tions and shall establish a program of reasonable suspicion,
 22 random and post-accident testing for the use of alcohol in
 23 violation of law or a United States Government regulation
 24 for such employees. The Administrator may establish a pro-

1 *gram of preemployment testing for the use of alcohol for*
 2 *such employees.”.*

3 **SEC. 315. ALCOHOL-IMPAIRED DRIVING COUNTER-**
 4 **MEASURES.**

5 (a) *TECHNICAL AMENDMENT.*—Section 410(d)(1)(E)
 6 *of title 23, United States Code, is amended by striking “the*
 7 *date of enactment of this section” and inserting “December*
 8 *18, 1991”.*

9 (b) *BASIC GRANT ELIGIBILITY.*—Section 410(d) of
 10 *such title is further amended—*

11 (1) *in paragraph (3)—*

12 (A) *by inserting “(A)” after “(3)”;* and

13 (B) *by adding at the end the following:*

14 “(B) A State shall be treated as having met the
 15 requirement of this paragraph if—

16 “(i) the State provides to the Secretary a
 17 written certification that the highest court of the
 18 State has issued a decision indicating that im-
 19 plementation of subparagraph (A) would con-
 20 stitute a violation of the constitution of the
 21 State; and

22 “(ii) the State demonstrates to the satisfac-
 23 tion of the Secretary—

24 “(I) that the alcohol fatal crash in-
 25 volvement rate in the State has decreased in

1 each of the 3 most recent calendar years for
 2 which statistics for determining such rate
 3 are available; and

4 “(II) that the alcohol fatal crash in-
 5 volvement rate in the State has been lower
 6 than the average such rate for all States in
 7 each of such calendar years.”; and

8 (2) by adding at the end the following:

9 “(7) Any individual under age 21 with a blood
 10 alcohol concentration of 0.02 percent or greater when
 11 driving a motor vehicle shall be deemed to be driving
 12 while intoxicated.”.

13 (c) *SUPPLEMENTAL GRANTS.*—Section 410(f) of such
 14 title is amended by striking paragraph (1) and redesignat-
 15 ing paragraphs (2) through (7) as paragraphs (1) through
 16 (6), respectively.

17 **SEC. 316. SAFETY RESEARCH INITIATIVES.**

18 (a) *OLDER DRIVERS AND OTHER SPECIAL DRIVER*
 19 *GROUPS.*—

20 (1) *STUDY.*—The Secretary shall conduct a study
 21 of technologies and practices to improve the driving
 22 performance of older drivers and other special driver
 23 groups.

24 (2) *DEMONSTRATION ACTIVITIES.*—In conducting
 25 the study under paragraph (1), the Secretary shall

1 *undertake demonstration activities which incorporate*
2 *and build upon gerontology research related to the*
3 *study of the normal aging process. The Secretary*
4 *shall initially implement such activities in those*
5 *States which have the highest population of aging*
6 *citizens for whom driving a motor vehicle is their pri-*
7 *mary mobility mode.*

8 (3) *COOPERATIVE AGREEMENT.*—*The Secretary*
9 *shall carry out the study under paragraph (1) by en-*
10 *tering into a cooperative agreement with an institu-*
11 *tion that has demonstrated competencies in geronto-*
12 *logical research, population demographics, human*
13 *factors related to transportation, and advanced tech-*
14 *nology applied to transportation.*

15 (b) *WORK ZONE SAFETY.*—*In carrying out the work*
16 *zone safety program under section 1051 of the Intermodal*
17 *Surface Transportation Efficiency Act of 1991, the Sec-*
18 *retary shall utilize a variety of methods to increase safety*
19 *at highway construction sites, including each of the follow-*
20 *ing:*

21 (1) *Conferences to explore new techniques and*
22 *stimulate dialogue for improving work zone safety.*

23 (2) *Creation of a national clearinghouse to as-*
24 *semble and disseminate, by electronic and other*

1 *means, information relating to the improvement of*
 2 *work zone safety.*

3 (3) *A national promotional campaign in co-*
 4 *operation with the States to provide timely, site-spe-*
 5 *cific information to motorists when construction*
 6 *workers are actually present.*

7 (c) *RADIO AND MICROWAVE TECHNOLOGY FOR MOTOR*
 8 *VEHICLE SAFETY WARNING SYSTEM.—*

9 (1) *STUDY.—The Secretary, in consultation with*
 10 *the Federal Communications Commission and the Na-*
 11 *tional Telecommunications and Information Admin-*
 12 *istration, shall conduct a study to develop and evalu-*
 13 *ate radio and microwave technology for a motor vehi-*
 14 *cle safety warning system in furtherance of safety in*
 15 *all types of motor vehicles.*

16 (2) *EQUIPMENT.—Equipment developed under*
 17 *the study to be conducted under subsection (a) shall*
 18 *be directed toward, but not limited to, advance warn-*
 19 *ing to operators of all types of motor vehicles of—*

20 (A) *temporary obstructions in a highway;*

21 (B) *poor visibility and highway surface*
 22 *conditions caused by adverse weather; and*

23 (C) *movement of emergency vehicles.*

24 (3) *SAFETY APPLICATIONS.—In conducting the*
 25 *study under paragraph (1), the Secretary shall deter-*

1 *mine whether the technology described in this sub-*
 2 *section has other appropriate safety applications.*

3 **SEC. 317. PUBLIC TRANSIT VEHICLES EXEMPTION.**

4 *Section 1023(h)(1) of the Intermodal Surface Trans-*
 5 *portation Efficiency Act of 1991 (23 U.S.C. 127 note) is*
 6 *amended—*

7 *(1) by striking “2-year” the first place it ap-*
 8 *pears and all that follows through “Act,” and insert-*
 9 *ing “period beginning on October 6, 1992, and ending*
 10 *on the date on which Federal-aid highway and tran-*
 11 *sit programs are reauthorized after the date of the en-*
 12 *actment of the National Highway System Designation*
 13 *Act of 1995,”; and*

14 *(2) by striking the second sentence.*

15 **SEC. 318. CONGESTION MITIGATION AND AIR QUALITY IM-**
 16 **PROVEMENT PROGRAM.**

17 *(a) AREAS ELIGIBLE FOR FUNDS.—*

18 *(1) IN GENERAL.—The first sentence of section*
 19 *149(b) of title 23, United States Code, is amended—*

20 *(A) by inserting “if the project or program*
 21 *is for an area in the State that was designated*
 22 *as a nonattainment area under section 107(d) of*
 23 *the Clean Air Act (42 U.S.C. 7407(d)) during*
 24 *any part of fiscal year 1994 and” after “pro-*
 25 *gram” the 2nd place it appears; and*

1 (B) in paragraph (1)(A) by striking “con-
 2 tribute” and all that follows through “; or” and
 3 inserting the following: “contribute to—

4 “(i) the attainment of a national ambient
 5 air quality standard; or

6 “(ii) the maintenance of a national ambient
 7 air quality standard in an area that was des-
 8 ignated as a nonattainment area but that was
 9 later redesignated by the Administrator of the
 10 Environmental Protection Agency as an attain-
 11 ment area under section 107(d) of the Clean Air
 12 Act (42 U.S.C. 7407(d)); or”.

13 (2) APPORTIONMENT.—Section 104(b)(2) of title
 14 23, United States Code, is amended—

15 (A) in the second sentence, by striking “is
 16 a nonattainment area (as defined in the Clean
 17 Air Act) for ozone” and inserting “was a non-
 18 attainment area (as defined in section 171(2) of
 19 the Clean Air Act (42 U.S.C. 7501(2))) for ozone
 20 during any part of fiscal year 1994”; and

21 (B) in the third sentence—

22 (i) by striking “is also” and inserting
 23 “was also”; and

24 (ii) by inserting “during any part of
 25 fiscal year 1994” after “monoxide”.

1 (b) *EFFECT OF LIMITATION ON APPORTIONMENT.*—
 2 Notwithstanding any other provision of law, for each of fis-
 3 cal years 1996 and 1997, any limitation under an amend-
 4 ment made by this section on an apportionment of funds
 5 otherwise authorized under section 1003(a)(4) of the Inter-
 6 modal Surface Transportation Efficiency Act of 1991 (105
 7 Stat. 1919) shall not affect any hold harmless apportion-
 8 ment adjustment under section 1015(a) of such Act (105
 9 Stat. 1943).

10 **SEC. 319. QUALITY IMPROVEMENT.**

11 (a) *LIFE-CYCLE COST ANALYSIS.*—Section 106 of title
 12 23, United States Code, is amended by adding at the end
 13 the following:

14 “(e) *LIFE-CYCLE COST ANALYSIS.*—

15 “(1) *ESTABLISHMENT.*—The Secretary shall es-
 16 tablish a program to require States to conduct an
 17 analysis of the life-cycle costs of all projects on the
 18 National Highway System with an estimated total
 19 cost of \$25,000,000 or more.

20 “(2) *ANALYSIS OF LIFE-CYCLE COSTS DE-*
 21 *FINED.*—In this subsection, the term ‘analysis of life-
 22 cycle costs’ means a process for evaluating the total
 23 economic worth of one or more projects by analyzing
 24 both initial costs as well as discounted future costs,
 25 such as maintenance, reconstruction, rehabilitation,

1 *restoring, and resurfacing costs, over the life of the*
 2 *project or projects.”.*

3 **(b) VALUE ENGINEERING.**—*Such section is further*
 4 *amended by adding at the end the following:*

5 “(f) **VALUE ENGINEERING FOR NHS.**—

6 “(1) **REQUIREMENT.**—*The Secretary shall estab-*
 7 *lish a program to require States to carry out a value*
 8 *engineering analysis for all projects on the National*
 9 *Highway System with an estimated total cost of*
 10 *\$25,000,000 or more.*

11 “(2) **VALUE ENGINEERING DEFINED.**—*For pur-*
 12 *poses of this subsection, the term ‘value engineering*
 13 *analysis’ means a systematic process of review and*
 14 *analysis of a project or activity during its design*
 15 *phase by a multidisciplined team of persons not origi-*
 16 *nally involved in the project or activity in order to*
 17 *provide suggestions for reducing the total cost of the*
 18 *project or activity and providing a project or activity*
 19 *of equal or better quality. Such suggestions may in-*
 20 *clude a combination or elimination of inefficient or*
 21 *expensive parts of the original proposed design for the*
 22 *project or activity and total redesign of the proposed*
 23 *project or activity using different technologies, mate-*
 24 *rials, or methods so as to accomplish the original pur-*
 25 *pose of the project or activity.”.*

1 **SEC. 320. APPLICABILITY OF TRANSPORTATION CONFORM-**
 2 **ITY REQUIREMENTS.**

3 (a) *HIGHWAY CONSTRUCTION.*—Section 109(j) of title
 4 23, United States Code, is amended by striking “plan for
 5 the implementation of any ambient air quality standard
 6 for any air quality control region designated pursuant to
 7 the Clean Air Act, as amended.” and inserting the follow-
 8 ing: “plan for—

9 “(1) the implementation of a national ambient
 10 air quality standard for which an area is designated
 11 as a nonattainment area under section 107(d) of the
 12 Clean Air Act (42 U.S.C. 7407(d)); or

13 “(2) the maintenance of a national ambient air
 14 quality standard in an area that was designated as
 15 a nonattainment area but that was later redesignated
 16 by the Administrator as an attainment area for the
 17 standard and that is required to develop a mainte-
 18 nance plan under section 175A of the Clean Air Act
 19 (42 U.S.C. 7505a).”.

20 (b) *CLEAN AIR ACT REQUIREMENTS.*—Section 176(c)
 21 of the Clean Air Act (42 U.S.C. 7506(c)) is amended by
 22 adding at the end the following:

23 “(5) *APPLICABILITY.*—This subsection shall
 24 apply only with respect to—

1 “(A) a nonattainment area and each spe-
 2 cific pollutant for which the area is designated
 3 as a nonattainment area; and

4 “(B) an area that was designated as a non-
 5 attainment area but that was later redesignated
 6 by the Administrator as an attainment area and
 7 that is required to develop a maintenance plan
 8 under section 175A with respect to the specific
 9 pollutant for which the area was designated non-
 10 attainment.”.

11 **SEC. 321. QUALITY THROUGH COMPETITION.**

12 (a) *CONTRACTING FOR ENGINEERING AND DESIGN*
 13 *SERVICES.*—Section 112(b)(2) of title 23, United States
 14 Code, is amended by adding at the end the following new
 15 subparagraphs:

16 “(C) *PERFORMANCE AND AUDITS.*—Any
 17 contract or subcontract awarded in accordance
 18 with subparagraph (A), whether funded in whole
 19 or in part with Federal-aid highway funds, shall
 20 be performed and audited in compliance with
 21 cost principles contained in the Federal acquisi-
 22 tion regulations of part 31 of title 48 of the Code
 23 of Federal Regulations.

24 “(D) *INDIRECT COST RATES.*—Instead of
 25 performing its own audits, a recipient of funds

1 *under a contract or subcontract awarded in ac-*
2 *cordance with subparagraph (A) shall accept in-*
3 *direct cost rates established in accordance with*
4 *the Federal acquisition regulations for 1-year*
5 *applicable accounting periods by a cognizant*
6 *Federal or State government agency, if such*
7 *rates are not currently under dispute. Once a*
8 *firm's indirect cost rates are accepted, the recipi-*
9 *ent of such funds shall apply such rates for the*
10 *purposes of contract estimation, negotiation, ad-*
11 *ministration, reporting, and contract payment*
12 *and shall not be limited by administrative or de*
13 *facto ceilings of any kind. A recipient of such*
14 *funds requesting or using the cost and rate data*
15 *described in this subparagraph shall notify any*
16 *affected firm before such request or use. Such*
17 *data shall be confidential and shall not be acces-*
18 *sible or provided, in whole or in part, to another*
19 *firm or to any government agency which is not*
20 *part of the group of agencies sharing cost data*
21 *under this subparagraph, except by written per-*
22 *mission of the audited firm. If prohibited by law,*
23 *such cost and rate data shall not be disclosed*
24 *under any circumstances.*

1 “(E) *STATE OPTION*.—Subparagraphs (C)
 2 and (D) shall take effect 2 years after the date
 3 of the enactment of this subparagraph with re-
 4 spect to all States; except that if a State, during
 5 such 2-year period, adopts by statute an alter-
 6 native process intended to promote engineering
 7 and design quality and ensure maximum com-
 8 petition by professional companies of all sizes
 9 providing engineering and design services, such
 10 subparagraphs shall not apply with respect to
 11 such State.”.

12 (b) *REPEAL OF PILOT PROGRAM*.—Section 1092 of the
 13 Intermodal Surface Transportation Efficiency Act of 1991
 14 (23 U.S.C. 112 note; 105 Stat. 2024) is repealed.

15 **SEC. 322. APPLICABILITY OF CERTAIN VEHICLE WEIGHT**
 16 **LIMITATIONS IN WISCONSIN.**

17 Section 127 of title 23, United States Code, is amended
 18 by adding at the end the following:

19 “(f) *OPERATION OF CERTAIN SPECIALIZED HAULING*
 20 *VEHICLES ON CERTAIN WISCONSIN HIGHWAYS*.—If the
 21 104-mile portion of Wisconsin State Route 78 and United
 22 States Route 51 between Interstate Route 94 near Portage,
 23 Wisconsin, and Wisconsin State Route 29 south of Wausau,
 24 Wisconsin, is designated as part of the Interstate System
 25 under section 139(a), the single axle weight, tandem axle

1 weight, gross vehicle weight, and bridge formula limits set
 2 forth in subsection (a) shall not apply to the 104-mile por-
 3 tion with respect to the operation of any vehicle that could
 4 legally operate on the 104-mile portion before the date of
 5 enactment of this subsection.”.

6 **SEC. 323. TREATMENT OF CENTENNIAL BRIDGE, ROCK IS-**
 7 **LAND, ILLINOIS, AGREEMENT.**

8 For purposes of section 129(a)(6) of title 23, United
 9 States Code, the agreement concerning the Centennial
 10 Bridge, Rock Island, Illinois, entered into under the Act
 11 entitled “An Act authorizing the city of Rock Island, Illi-
 12 nois, or its assigns, to construct, maintain, and operate a
 13 toll bridge across the Mississippi River at or near Rock Is-
 14 land, Illinois, and to a place at or near the city of Dav-
 15 enport, Iowa”, approved March 18, 1938 (52 Stat. 110,
 16 chapter 48), shall be treated as if the agreement had been
 17 entered into under section 129 of title 23, United States
 18 Code, as in effect on December 17, 1991, and may be modi-
 19 fied in accordance with section 129(a)(6) of the title.

20 **SEC. 324. METRIC REQUIREMENTS AND SIGNS.**

21 (a) *PLACEMENT OF SIGNS.*—Before September 30,
 22 1997, the Secretary may not require the States to expend
 23 any Federal or State funds to construct, erect, or otherwise
 24 place any sign relating to any speed limit, distance, or
 25 other measurement on any highway for the purpose of hav-

1 *ing such sign establish such speed limit, distance, or other*
 2 *measurement using the metric system.*

3 (b) *MODIFICATION OF SIGNS.—Before September 30,*
 4 *1997, the Secretary may not require the States to expend*
 5 *any Federal or State funds to modify any sign relating to*
 6 *any speed limit, any distance, or other measurement on any*
 7 *highway for the purpose of having such sign establish such*
 8 *speed limit, distance, or measurement using the metric*
 9 *system.*

10 (c) *DEFINITIONS.—In this section, the following defi-*
 11 *nitions apply:*

12 (1) *HIGHWAY.—The term “highway” has the*
 13 *meaning such term has under section 101 of title 23,*
 14 *United States Code.*

15 (2) *METRIC SYSTEM.—The term “metric system”*
 16 *has the meaning the term “metric system of measure-*
 17 *ment” has under section 4 of the Metric Conversion*
 18 *Act of 1975 (15 U.S.C. 205c).*

19 ***SEC. 325. ISTEA TECHNICAL CLARIFICATION.***

20 *Section 131(s) of title 23, United States Code, is*
 21 *amended by striking the period at the end of the first sen-*
 22 *tence and inserting the following: “; except that nothing in*
 23 *this subsection or section 1047 of the Intermodal Surface*
 24 *Transportation Efficiency Act of 1991 shall restrict, or oth-*
 25 *erwise be applied by the Secretary to affect, the authority*

1 *of a State under subsection (d) of this section with respect*
 2 *to commercial or industrial areas or the authority of a*
 3 *State under subsection (k) of this section to establish stand-*
 4 *ards imposing stricter limitations than those established in*
 5 *this subsection.”.*

6 **SEC. 326. METROPOLITAN PLANNING FOR HIGHWAY**
 7 **PROJECTS.**

8 *Section 134(f) of title 23, United States Code, is*
 9 *amended by adding at the end the following:*

10 *“(16) Recreational travel and tourism.”.*

11 **SEC. 327. NON-FEDERAL SHARE FOR CERTAIN TOLL BRIDGE**
 12 **PROJECTS.**

13 *Section 144(l) of title 23, United States Code, is*
 14 *amended by adding at the end the following: “Any non-*
 15 *Federal funds expended for the seismic retrofit of the bridge*
 16 *may be credited toward the non-Federal share required as*
 17 *a condition of receipt of any Federal funds for seismic retro-*
 18 *fit of the bridge made available after the date of the expendi-*
 19 *ture.”.*

20 **SEC. 328. DISCOVERY AND ADMISSION AS EVIDENCE OF**
 21 **CERTAIN REPORTS AND SURVEYS.**

22 *Section 409 of title 23, United States Code, is amended*
 23 *by inserting “or collected” after “compiled”.*

1 **SEC. 329. NATIONAL RECREATIONAL TRAILS.**

2 (a) *STATE ELIGIBILITY.*—Section 1302(c) of the Inter-
3 modal Surface Transportation Efficiency Act of 1991 (33
4 U.S.C. 1261(c)) is amended—

5 (1) by striking “Act” each place it appears and
6 inserting “part”;

7 (2) in paragraph (2) by striking subparagraph
8 (B) and redesignating subparagraphs (C) and (D) as
9 subparagraphs (B) and (C), respectively; and

10 (3) by adding at the end the following:

11 “(3) *SIXTH YEAR PROVISION.*—On and after the
12 date that is 5 years after the date of the enactment
13 of this part, a State shall be eligible to receive moneys
14 under this part in a fiscal year only if the State
15 agrees to expend from non-Federal sources for carry-
16 ing out projects under this part an amount equal to
17 20 percent of the amount received by the State under
18 this part in such fiscal year.”.

19 (b) *ADMINISTRATIVE COSTS.*—Section 1302(d)(1) of
20 such Act (33 U.S.C. 1261(d)(1)) is amended—

21 (1) by striking “and” at the end of subpara-
22 graph (C);

23 (2) by redesignating subparagraph (D) as sub-
24 paragraph (E); and

25 (3) by inserting after subparagraph (C) the
26 following:

1 “(D) contracting for services with other
2 land management agencies; and”.

3 (c) ENVIRONMENTAL MITIGATION.—

4 (1) IN GENERAL.—Section 1302(e) of such Act
5 (33 U.S.C. 1261(e)) is amended—

6 (A) by redesignating paragraphs (5), (6),
7 (7), and (8) as paragraphs (6), (7), (8), and (9),
8 respectively; and

9 (B) by inserting after paragraph (4) the
10 following:

11 “(5) ENVIRONMENTAL MITIGATION.—

12 “(A) REQUIREMENT.—To the extent prac-
13 ticable and consistent with other requirements of
14 this section, in complying with paragraph (4), a
15 State shall give priority to project proposals
16 which provide for the redesign, reconstruction,
17 nonroutine maintenance, or relocation of trails
18 in order to mitigate and minimize the impact to
19 the natural environment.

20 “(B) COMPLIANCE.—The State shall receive
21 guidance for determining compliance with sub-
22 paragraph (A) from the recreational trail advi-
23 sory board satisfying the requirements of sub-
24 section (c)(2)(A).”.

1 (2) *CONFORMING AMENDMENT.—Section*
 2 *1302(e)(4) of such Act (33 U.S.C. 1261(e)(4)) is*
 3 *amended by striking “paragraphs (6) and (8)(B)”*
 4 *and inserting “paragraphs (7) and (9)(B)”.*

5 (d) *EXCLUSIONS.—Section 1302(e)(7) of such Act, as*
 6 *redesignated by subsection (c), is amended—*

7 (1) *by striking “(7) SMALL STATE EXCLUSION.—*
 8 *” and inserting the following:*

9 *“(7) EXCLUSIONS.—*

10 *“(A) SMALL STATE.—”;*

11 (2) *by moving the text of subparagraph (A), as*
 12 *designated by paragraph (1), 2 ems to the right; and*

13 (3) *by adding at the end the following:*

14 *“(B) BEST INTEREST OF A STATE.—Any*
 15 *State which determines based on trail needs*
 16 *identified in its State Comprehensive Outdoor*
 17 *Recreation Plan that it is in the best interest of*
 18 *the State to be exempt from the requirements of*
 19 *paragraph (4) may apply to the Secretary for*
 20 *such an exemption. Before approving or dis-*
 21 *approving an application for such an exemption,*
 22 *the Secretary shall publish in the Federal Reg-*
 23 *ister notice of receipt of the application and pro-*
 24 *vide an opportunity for public comment on the*
 25 *application.”.*

1 (e) *RETURN OF MONEYS NOT EXPENDED*.—Section
 2 1302(e)(9) of such Act, as redesignated by subsection (c),
 3 is amended—

4 (1) by inserting “the State” before “may be ex-
 5 empted”; and

6 (2) by striking “and expended or committed”
 7 and all that follows before the period.

8 (f) *ADVISORY COMMITTEE*.—Section 1303(b) of such
 9 Act (16 U.S.C. 1262(b)) is amended—

10 (1) by striking “11 members” and inserting “12
 11 members”;

12 (2) by redesignating paragraphs (2), (3), and (4)
 13 as paragraphs (3), (4), and (5), respectively; and

14 (3) by inserting after paragraph (1) the follow-
 15 ing:

16 “(2) 1 member appointed by the Secretary rep-
 17 resenting individuals with disabilities;”.

18 **SEC. 330. IDENTIFICATION OF HIGH PRIORITY CORRIDORS.**

19 (a) *IN GENERAL*.—Section 1105(c) of the Intermodal
 20 Surface Transportation Efficiency Act of 1991 (105 Stat.
 21 2032) is amended—

22 (1) by striking paragraph (5) and inserting the
 23 following:

24 “(5)(A) I-73/74 North-South Corridor from
 25 Charleston, South Carolina, through Winston-Salem,

1 *North Carolina, to Portsmouth, Ohio, to Cincinnati,*
 2 *Ohio, to termini at Detroit, Michigan and Sault Ste.*
 3 *Marie, Michigan. The Sault Ste. Marie terminus shall*
 4 *be reached via a corridor connecting Adrian, Jackson,*
 5 *Lansing, Mount Pleasant, and Grayling, Michigan.*

6 *“(B)(i) In the Commonwealth of Virginia, the*
 7 *Corridor shall generally follow—*

8 *“(I) United States Route 220 from the Vir-*
 9 *ginia-North Carolina border to I-581 south of*
 10 *Roanoke;*

11 *“(II) I-581 to I-81 in the vicinity of Roa-*
 12 *noke;*

13 *“(III) I-81 to the proposed highway to*
 14 *demonstrate intelligent transportation systems*
 15 *authorized by item 29 of the table in section*
 16 *1107(b) in the vicinity of Christiansburg to*
 17 *United States Route 460 in the vicinity of*
 18 *Blacksburg; and*

19 *“(IV) United States Route 460 to the West*
 20 *Virginia State line.*

21 *“(ii) In the States of West Virginia, Kentucky,*
 22 *and Ohio, the Corridor shall generally follow—*

23 *“(I) United States Route 460 from the West*
 24 *Virginia State line to United States Route 52 at*
 25 *Bluefield, West Virginia; and*

1 “(II) *United States Route 52 to United*
 2 *States Route 23 at Portsmouth, Ohio.*

3 “(iii) *In the States of North Carolina and South*
 4 *Carolina, the Corridor shall generally follow—*

5 “(I) *in the case of I-73—*

6 “(aa) *United States Route 220 from*
 7 *the Virginia State line to State Route 68 in*
 8 *the vicinity of Greensboro;*

9 “(bb) *State Route 68 to I-40;*

10 “(cc) *I-40 to United States Route 220*
 11 *in Greensboro;*

12 “(dd) *United States Route 220 to*
 13 *United States Route 1 near Rockingham;*

14 “(ee) *United States Route 1 to the*
 15 *South Carolina State line; and*

16 “(ff) *South Carolina State line to*
 17 *Charleston, South Carolina; and*

18 “(II) *in the case of I-74—*

19 “(aa) *I-77 from Bluefield, West Vir-*
 20 *ginia, to the junction of I-77 and the*
 21 *United States Route 52 connector in Surry*
 22 *County, North Carolina;*

23 “(bb) *the I-77/United States Route 52*
 24 *connector to United States Route 52 south*
 25 *of Mount Airy, North Carolina;*

1 “(cc) United States Route 52 to United
2 States Route 311 in Winston-Salem, North
3 Carolina;

4 “(dd) United States Route 311 to
5 United States Route 220 in the vicinity of
6 Randleman, North Carolina.

7 “(ee) United States Route 220 to
8 United States Route 74 near Rockingham;

9 “(ff) United States Route 74 to United
10 States Route 76 near Whiteville;

11 “(gg) United States Route 74/76 to the
12 South Carolina State line in Brunswick
13 County; and

14 “(hh) South Carolina State line to
15 Charleston, South Carolina.”;

16 (2) in paragraph (18)—

17 (A) by striking “and”;

18 (B) by inserting “Mississippi, Arkansas,”
19 after “Tennessee,”; and

20 (C) by inserting before the period at the end
21 the following: “, and to the Lower Rio Grande
22 Valley at the border between the United States
23 and Mexico”;

24 (3) by inserting before the period at the end of
25 paragraph (18) the following: “, and to include the

1 *Corpus Christi Northside Highway and Rail Corridor*
 2 *from the existing intersection of United States Route*
 3 *77 and Interstate Route 37 to United States Route*
 4 *181”; and*

5 (4) *by adding at the end the following:*

6 “(22) *The Alameda Transportation Corridor*
 7 *along Alameda Street from the entrance to the ports*
 8 *of Los Angeles and Long Beach to Interstate 10, Los*
 9 *Angeles, California.*

10 “(23) *The Interstate Route 35 Corridor from La-*
 11 *redo, Texas, through Oklahoma City, Oklahoma, to*
 12 *Wichita, Kansas, to Kansas City, Kansas/Missouri, to*
 13 *Des Moines, Iowa, to Minneapolis, Minnesota, to Du-*
 14 *luth, Minnesota.*

15 “(24) *The Dalton Highway from Deadhorse,*
 16 *Alaska to Fairbanks, Alaska.*

17 “(25) *State Route 168 (South Battlefield Boule-*
 18 *vard), Virginia, from the Great Bridge Bypass to the*
 19 *North Carolina State line.*

20 “(26) *The CANNAMEX CORRIDOR from*
 21 *Nogales, Arizona, through Las Vegas, Nevada, to Salt*
 22 *Lake City, Utah, to Idaho Falls, Idaho, to Great*
 23 *Falls, Montana, to the Canadian Border as follows:*

24 “(A) *In the State of Arizona, the*
 25 *CANAMEX CORRIDOR shall generally follow—*

1 “(i) I-19 from Nogales to Tucson;

2 “(ii) I-10 from Tucson to Phoenix;

3 and

4 “(iii) United States Route 93 from
5 Phoenix to the Nevada Border.

6 “(B) In the State of Nevada, the
7 CANAMEX CORRIDOR shall follow—

8 “(i) United States Route 93 from the
9 Arizona Border to Las Vegas; and

10 “(ii) I-15 from Las Vegas to the Utah
11 Border.

12 “(C) From the Utah Border to the Cana-
13 dian Border, the CANAMEX CORRIDOR shall
14 follow I-15.

15 “(27) The Camino Real Corridor from El Paso,
16 Texas, to Denver, Colorado, as follows:

17 “(A) In the State of Texas, the Camino Real
18 Corridor shall generally follow—

19 “(i) arterials from the international
20 ports of entry to I-10 in El Paso County;
21 and

22 “(ii) I-10 from El Paso County to the
23 New Mexico border.

24 “(B) In the State of New Mexico, the Ca-
25 mino Real Corridor shall generally follow—

1 “(i) I-10 from the Texas Border to Las
2 Cruces; and

3 “(ii) I-25 from Las Cruces to the Colo-
4 rado Border.

5 “(C) In the State of Colorado, the Camino
6 Real Corridor shall generally follow I-25 from
7 the New Mexico Border to Denver.”.

8 (b) *INCLUSION OF CERTAIN ROUTE SEGMENTS ON*
9 *INTERSTATE SYSTEM.*—Section 1105(e) of such Act (105
10 *Stat. 2033*) is amended by adding at the end the following:

11 “(5) *INCLUSION OF CERTAIN ROUTE SEGMENTS*
12 *ON INTERSTATE SYSTEM.*—Where not a part of the
13 *Interstate System*, the routes referred to in clauses (i),
14 (ii), and (iii) of subsection (c)(5)(B) (other than the
15 *portion located in the State of West Virginia*), in sub-
16 *section (c)(9)*, and in subsections (c)(18) and (c)(20)
17 *are hereby designated future parts of the Interstate*
18 *System. Any segment of such routes shall become a*
19 *part of the Interstate System at such time as the Sec-*
20 *retary determines that the segment—*

21 “(A) *meets the Interstate System design*
22 *standards approved by the Secretary under sec-*
23 *tion 109(b) of title 23, United States Code; and*

1 “(B) connects to an existing Interstate Sys-
 2 tem segment and functions as a safe and usable
 3 segment.”.

4 **SEC. 331. HIGH PRIORITY CORRIDOR FEASIBILITY STUDIES.**

5 (a) *EVACUATION ROUTES FOR LOUISIANA COASTAL*
 6 *AREAS.*—Section 1105(e)(2) of the Intermodal Surface
 7 Transportation Efficiency Act of 1991 (105 Stat. 2033) is
 8 amended by adding at the end the following new sentence:
 9 “A feasibility study may be conducted under this subsection
 10 to identify routes that will expedite future emergency evacu-
 11 ations of coastal areas of Louisiana.”.

12 (b) *EAST-WEST TRANSAMERICA CORRIDOR.*—With
 13 amounts available to the Secretary under section 1105(h)
 14 of the Intermodal Surface Transportation Efficiency Act of
 15 1991, the Secretary in cooperation with the States of Vir-
 16 ginia and West Virginia shall conduct a study to determine
 17 the feasibility of establishing a route for the East-West
 18 Transamerica Corridor (designated pursuant to section
 19 1105(c)(3) of such Act) from Beckley, West Virginia, utiliz-
 20 ing a corridor entering Virginia near the city of Covington
 21 then moving south from the Allegheny Highlands to serve
 22 Roanoke and continuing east to Lynchburg. From there
 23 such route would continue across Virginia to the Hampton
 24 Roads-Norfolk area.

1 **SEC. 332. HIGH COST BRIDGE PROJECTS.**

2 *The table contained in section 1103(b) of the Inter-*
3 *modal Surface Transportation Efficiency Act of 1991 (105*
4 *Stat. 2027–2028) is amended—*

5 *(1) in item number 5, relating to Gloucester*
6 *Point, Virginia, by inserting after “York River” the*
7 *following: “and for repair, strengthening, and reha-*
8 *bilitation of the existing bridge”; and*

9 *(2) in item number 10, relating to Shakopee,*
10 *Minnesota, by inserting “project, including the bypass*
11 *of” after “replacement”.*

12 **SEC. 333. CONGESTION RELIEF PROJECTS.**

13 *The table contained in section 1104(b) of the Inter-*
14 *modal Surface Transportation Efficiency Act of 1991 (105*
15 *Stat. 2029–2031) is amended—*

16 *(1) in item number 1, relating to Long Beach,*
17 *California, by striking “HOV Lanes on” and insert-*
18 *ing “downtown Long Beach access ramps into the*
19 *southern terminus of”;*

20 *(2) in item number 10, relating to San Diego,*
21 *California, by striking “1 block of Cut and Cover*
22 *Tunnel on Rt. 15” and inserting “bridge decking on*
23 *Route 15”;*

24 *(3) in item number 23, relating to Tucson, Ari-*
25 *zona, by inserting “, of which a total of \$3,609,620*
26 *shall be available for the project authorized by item*

1 *number 74 of the table contained in section 1106(b)''*
 2 *after "in Tuscon, Arizona"; and*

3 *(4) in item number 43, relating to West Vir-*
 4 *ginia, by striking "Coal Fields" and inserting "Coal-*
 5 *fields".*

6 **SEC. 334. HIGH PRIORITY CORRIDORS ON NATIONAL HIGH-**
 7 **WAY SYSTEM.**

8 *Section 1105(c)(3) of the Intermodal Surface Trans-*
 9 *portation Efficiency Act of 1991 (105 Stat. 2032) is amend-*
 10 *ed by inserting before the period at the end the following:*
 11 *"commencing on the Atlantic Coast in the Hampton Roads-*
 12 *Norfolk area going westward across Virginia to a West Vir-*
 13 *ginia corridor centered around Beckley to Welch as part*
 14 *of the Coalfields Expressway described in section 1069(v),*
 15 *then to Williamson sharing a common corridor with the*
 16 *I-73/74 Corridor (referred to in item 12 of the table con-*
 17 *tained in subsection (f)), then to a Kentucky Corridor cen-*
 18 *tered on the cities of Pikeville, Jenkins, Hazard, London,*
 19 *Somerset, Columbia, Bowling Green, Hopkinsville, Benton,*
 20 *and Paducah, into Illinois, and into Missouri and exiting*
 21 *Western Missouri and entering the southeast corner of*
 22 *Kansas".*

1 **SEC. 335. HIGH PRIORITY CORRIDOR PROJECTS.**

2 *The table contained in section 1105(f) of the Inter-*
 3 *modal Surface Transportation Efficiency Act of 1991 (105*
 4 *Stat. 2033–2035) is amended—*

5 *(1) in item 1, relating to Pennsylvania, by in-*
 6 *serting after “For” the following: “the segment de-*
 7 *scribed in item 6 of this table and up to \$11,000,000*
 8 *for”;*

9 *(2) in item 2, relating to Alabama, Georgia,*
 10 *Mississippi, Tennessee, by inserting after “Rt. 72” the*
 11 *following: “and up to \$1,500,000 from the State of*
 12 *Alabama’s share of the project for modification of the*
 13 *Keller Memorial Bridge in Decatur, Alabama, to a*
 14 *pedestrian structure”;* and

15 *(3) in item number 26, relating to Indiana,*
 16 *Kentucky, Tennessee, by striking “Newberry” and in-*
 17 *serting “Evansville”.*

18 **SEC. 336. RURAL ACCESS PROJECTS.**

19 *The table contained in section 1106(a)(2) of the Inter-*
 20 *modal Surface Transportation Efficiency Act of 1991 (105*
 21 *Stat. 2037–2042) is amended—*

22 *(1) in item number 34, relating to Illinois, by*
 23 *striking “Resurfacing” and all that follows through*
 24 *“Omaha” and inserting “Bel-Air Road improvement*
 25 *from south of Carmi to State Route 141 in southeast-*
 26 *ern White County”;*

1 (2) in item number 52, relating to Bedford
 2 Spirings, Pennsylvania, by striking “and Hunting-
 3 ton” and inserting “Franklin, and Huntingdon”;

4 (3) in item number 61, relating to Lubbock,
 5 Texas, by striking “with Interstate 20” and inserting
 6 “with Interstate 10 through Interstate 20 and Inter-
 7 state 27 north of Amarillo to the Texas/Oklahoma
 8 border”;

9 (4) in item number 71, relating to Chautauqua
 10 County, New York, by inserting “and other improve-
 11 ments” after “expressway lanes”;

12 (5) in item number 75, relating to Pennsylvania,
 13 by striking “Widen” and all that follows through
 14 “lanes” and inserting “Road improvements on a 14-
 15 mile segment of U.S. Route 15 in Lycoming County,
 16 Pennsylvania”;

17 (6) in item number 93, relating to New Mexico,
 18 by striking “Raton-Clayton Rd., Clayton, New Mex-
 19 ico” and inserting “U.S. Rt. 64/87 from Raton, New
 20 Mexico, through Clayton to the Texas-New Mexico
 21 State line”; and

22 (7) in item number 111, relating to Parker
 23 County, Texas (SH199)—

24 (A) by striking “Parker County” and in-
 25 serting “Parker and Tarrant Counties”; and

1 (B) by striking “to four-” and inserting “in
2 Tarrant County, to freeway standards and in
3 Parker County to a 4-”.

4 **SEC. 337. URBAN ACCESS AND MOBILITY PROJECTS.**

5 The table contained in section 1106(b)(2) of the Inter-
6 modal Surface Transportation Efficiency Act of 1991 (105
7 Stat. 2043–2047) is amended—

8 (1) in item number (9), relating to New York,
9 New York, by striking “Improvements” and all that
10 follows through “NY” and inserting “Projects in New
11 York City, New York (other than improvements to the
12 Miller Highway)”;

13 (2) in item number 13, relating to Joliet, Illi-
14 nois, by striking “and construction and interchange
15 at Houbolt Road and I–80”;

16 (3) in item number 36, relating to Compton,
17 California, by striking “For a grade” and all that fol-
18 lows through “Corridor” and inserting “For grade
19 separations and other improvements in the city of
20 Compton, California”; and

21 (4) in item number 52, relating to Chicago, Illi-
22 nois, by striking “Right-of-way” and all that follows
23 through “Connector)” and inserting “Reconstruct the
24 Michigan Avenue viaduct”.

1 **SEC. 338. INNOVATIVE PROJECTS.**

2 *The table contained in section 1107(b) of the Inter-*
3 *modal Surface Transportation Efficiency Act of 1991 (105*
4 *Stat. 2048–2059) is amended—*

5 *(1) in item 19, relating to Water Street, Penn-*
6 *sylvania—*

7 *(A) by striking “Water Street,”; and*

8 *(B) by inserting “, or other projects in the*
9 *counties of Bedford, Blair, Centre, Franklin, and*
10 *Huntingdon as selected by the State of Penn-*
11 *sylvania” after “Pennsylvania” the second place*
12 *it appears;*

13 *(2) in item 20, relating to Holidaysburg, Penn-*
14 *sylvania—*

15 *(A) by striking “Holidaysburg,” the first*
16 *place it appears; and*

17 *(B) by inserting “, or other projects in the*
18 *counties of Bedford, Blair, Centre, Franklin, and*
19 *Huntingdon as selected by the State of Penn-*
20 *sylvania” after “Pennsylvania” the second place*
21 *it appears;*

22 *(3) in item number 24, relating to Pennsylvania,*
23 *by inserting after “line” the following: “and for the*
24 *purchase, rehabilitation, and improvement of any*
25 *similar existing facility within a 150-mile radius of*

1 *such project, as selected by the State of Pennsylva-*
2 *nia”;*

3 (4) *in item number 29, relating to Blacksburg,*
4 *Virginia, by inserting “methods of facilitating public*
5 *and private participation in” after “demonstrate”;*

6 (5) *in item number 35, relating to Alabama, by*
7 *striking “to bypass” and all that follows through “I-*
8 *85” and inserting “beginning on U.S. Route 80 west*
9 *of Montgomery, Alabama, and connecting to I-65*
10 *south of Montgomery and I-85 east of Montgomery”;*

11 (6) *in item 49, relating to Suffolk County, New*
12 *York, by inserting after “perimeters” the following:*
13 *“and provide funds to the towns of Brookhaven,*
14 *Riverhead, Smithtown, East Hampton, Southold,*
15 *Shelter Island, and Southampton for the purchase of*
16 *vehicles to meet the transportation needs of the elderly*
17 *and persons with disabilities”;*

18 (7) *in item number 52, relating to Pennsylvania,*
19 *by striking “2” and all that follows through “Penn-*
20 *sylvania” and inserting “or rehabilitate (or both)*
21 *highway and transportation infrastructure projects*
22 *within 30 miles of I-81 or I-80 in northeastern*
23 *Pennsylvania”;*

24 (8) *in item number 61, relating to Mojave, Cali-*
25 *fornia, by striking “Mojave” and inserting*

1 *“Victorville” and by inserting “Mojave” after “recon-*
2 *struct”;*

3 *(9) in item number 68, relating to Portland/S.*
4 *Portland, Maine—*

5 *(A) by striking “Portland/S. Portland,”;*
6 *and*

7 *(B) by inserting after “Bridge” the follow-*
8 *ing: “and improvements to the Carlton Bridge in*
9 *Bath-Woolworth”;*

10 *(10) in item number 76, relating to Tennessee,*
11 *by inserting “Improved access to” before “I-81” and*
12 *striking “Interchange” and inserting after “Ten-*
13 *nessee” the following: “via improvements at I-181/*
14 *Eastern Star Road and I-81/Kendrick Creek Road”;*

15 *(11) in item number 100, relating to Arkansas,*
16 *by striking “Thornton” and inserting “Little Rock”;*

17 *(12) in item number 113, relating to Durham*
18 *County, North Carolina, by inserting after “Route*
19 *147” the following: “, including the interchange at I-*
20 *85”;*

21 *(13) in item number 114, relating to Corpus*
22 *Christi to Angleton, Texas, by striking “Construct*
23 *new multi-lane freeway” and inserting “Construct a*
24 *4-lane divided highway”;*

1 (14) in item number 193, relating to Corning,
 2 New York, by inserting “and other improvements”
 3 after “expressway lanes”; and

4 (15) in item 196, relating to Orlando, Florida—

5 (A) by striking “Orlando,”; and

6 (B) by striking “Land” and all that follows
 7 through “project” and inserting “One or more
 8 regionally significant, intercity ground transpor-
 9 tation projects”.

10 **SEC. 339. INTERMODAL PROJECTS.**

11 The table contained in section 1108(b) of the Inter-
 12 modal Surface Transportation Efficiency Act of 1991 (105
 13 Stat. 2060–2063) is amended—

14 (1) in item number 12, relating to Buffalo, New
 15 York, by inserting after “Project” the following: “and
 16 the Crossroads Arena Project”;

17 (2) in item number 31, relating to Los Angeles,
 18 California, by striking “To improve ground access
 19 from Sepulveda Blvd. to Los Angeles, California” and
 20 inserting the following: “For the Los Angeles Inter-
 21 national Airport central terminal ramp access
 22 project, \$3,500,000; for the widening of Aviation Bou-
 23 levard south of Imperial Highway, \$3,500,000; for the
 24 widening of Aviation Boulevard north of Imperial
 25 Highway, \$1,000,000; and for transportation systems

1 *management improvements in the vicinity of the Sepulveda Boulevard/Los Angeles International Airport*
 2 *tunnel, \$950,000”; and*

4 *(3) in item 33, relating to Orange County, New*
 5 *York, strike “Stuart Airport Interchange Project” and*
 6 *insert “Stewart Airport interchange projects”.*

7 **SEC. 340. MISCELLANEOUS REVISIONS TO SURFACE TRANS-**
 8 **PORTATION AND UNIFORM RELOCATION AS-**
 9 **SISTANCE ACT OF 1987.**

10 *(a) CALIFORNIA.—Section 149(a)(69) of the Surface*
 11 *Transportation and Uniform Relocation Assistance Act of*
 12 *1987 (101 Stat. 191), relating to Burbank-Glendale-Pasa-*
 13 *dena Airport, California, is amended—*

14 *(1) in the first sentence by striking “highway”;*

15 *(2) in the first sentence by striking “and con-*
 16 *struction of terminal and parking facilities at such*
 17 *airport”; and*

18 *(3) by striking “by making” in the second sen-*
 19 *tence and all that follows through the period at the*
 20 *end of such sentence and inserting the following: “by*
 21 *preparing a feasibility study and conducting prelimi-*
 22 *nary engineering, design, and construction of a link*
 23 *between such airport and the commuter rail system*
 24 *that is being developed by the Los Angeles County*
 25 *Metropolitan Transportation Authority.”.*

1 (b) *LOUISIANA.*—

2 (1) *RURAL ACCESS PROJECT.*—

3 (A) *RESCISSION.*—Effective October 1,
4 1995, the unobligated balances on September 30,
5 1995, of funds made available for section
6 149(a)(87) of the Surface Transportation and
7 Uniform Relocation Assistance Act of 1987 (101
8 Stat. 194; relating to West Calcasieu Parish,
9 Louisiana) are hereby rescinded.

10 (B) *FUNDING.*—Item number 17 of the table
11 contained in section 1106(a)(2) of the Inter-
12 modal Surface Transportation Efficiency Act of
13 1991 (105 Stat. 2038), relating to Lake Charles,
14 Louisiana, is amended by striking “4.1” and in-
15 serting “8.8”.

16 (2) *I-10 EXIT RAMP AND OTHER PROJECTS.*—
17 Section 149(a)(89) of the Surface Transportation and
18 Uniform Relocation Assistance Act of 1987 (101 Stat.
19 191) is amended—

20 (A) by inserting “AND LAKE CHARLES”
21 after “LAFAYETTE” in the paragraph heading;
22 and

23 (B) by inserting before the period at the end
24 “and, of amounts made available to carry out
25 this paragraph, may use up to \$456,022 to carry

1 *out a comprehensive transportation and land use*
 2 *plan for Lafayette, Louisiana, \$1,000,000 to*
 3 *carry out a project to construct an exit ramp*
 4 *from the eastbound side of Interstate Route I-10*
 5 *to Ryan Street in Lake Charles, Louisiana, and*
 6 *\$269,661 under this paragraph for projects de-*
 7 *scribed in section 149(a)(90)''.*

8 (3) *CONTRABAND BRIDGE.*—*Section 149(a)(90)*
 9 *of such Act (101 Stat. 191) is amended—*

10 (A) *by inserting “AND LAKE CHARLES”*
 11 *after “LAFAYETTE” in the paragraph heading;*
 12 *and*

13 (B) *by inserting “and a project to construct*
 14 *the Contraband Bridge portion of the Nelson Ac-*
 15 *cess Road Project” before the period at the end.*

16 (c) *PENNSYLVANIA.*—*Section 149(a)(74) of the Surface*
 17 *Transportation and Uniform Relocation Assistance Act of*
 18 *1987 (101 Stat. 192) is amended by inserting before the*
 19 *period at the end the following: “and other projects in the*
 20 *counties of Bedford, Blair, Centre, Franklin, and Hunting-*
 21 *don, Pennsylvania”.*

22 (d) *MARYLAND.*—*Section 149(a)(92) of such Act (101*
 23 *Stat. 194) is amended—*

1 (1) by striking “UNITED STATES ROUTE 48” and
 2 inserting “WASHINGTON AND FREDERICK COUNTIES”;
 3 and

4 (2) by inserting “and to construct an inter-
 5 change between Interstate Route I-70 and Interstate
 6 Route I-270 in Frederick County, Maryland” after
 7 “Mountain Road”.

8 (e) *BUS TESTING FACILITY*.—Section 5318 of title 49,
 9 United States Code, is amended—

10 (1) in subsection (b) by inserting “or cooperative
 11 agreement” after “contract” each place it appears;
 12 and

13 (2) by adding at the end the following:

14 “(f) *CONVERSION OF CONTRACTS*.—The Secretary may
 15 convert existing contracts entered into under this section
 16 into cooperative agreements.”.

17 **SEC. 341. ELIGIBILITY.**

18 (a) *EXISTING PROJECT*.—Section 108(b) of the Fed-
 19 eral-Aid Highway Act of 1956 (23 U.S.C. 101 note) is
 20 amended—

21 (1) by striking “(1)” before “such costs may be
 22 further”; and

23 (2) by striking “, and (2) the amount of such
 24 costs shall not include the portion of the project be-
 25 tween High Street and Causeway Street”.

1 (b) *OTHER EXISTING PROJECTS.*—

2 (1) *RECONSTRUCTION AND WIDENING.*—The
3 project authorized by section 162 of the Surface
4 Transportation Assistance Act of 1982 (96 Stat.
5 2136) shall include reconstruction and widening to 6
6 lanes of existing Interstate Route 95 and of the Penn-
7 sylvania Turnpike from United States Route 1 to the
8 junction with the New Jersey Turnpike, including the
9 structure over the Delaware River.

10 (2) *FEDERAL SHARE.*—Notwithstanding any
11 other provision of law, the Federal share payable on
12 account of the project referred to in paragraph (1),
13 including the additional through roadway and bridge
14 travel lanes, shall be 90 percent of the cost of the
15 project.

16 (3) *TOLLS.*—Notwithstanding section 301 of title
17 23, United States Code, the project for construction of
18 an interchange between the Pennsylvania Turnpike
19 and Interstate Route 95, including the widening of
20 the Pennsylvania Turnpike, shall be treated as a re-
21 construction project described in section 129(a)(1)(B)
22 of such title and tolls may be continued on all traffic
23 on the Pennsylvania Turnpike between United States
24 Route 1 and the New Jersey Turnpike.

1 (c) *TYPE II NOISE BARRIERS.*—No funds made avail-
 2 able out of the Highway Trust Fund may be used to con-
 3 struct Type II noise barriers (as defined by section 772.5(i)
 4 of title 23, Code of Federal Regulations) pursuant to sec-
 5 tions 109 (h) and (i) of title 23, United States Code if such
 6 barriers were not part of a project approved by the Sec-
 7 retary before the date of the enactment of this Act.

8 **SEC. 342. ORANGE COUNTY, CALIFORNIA, TOLL ROADS.**

9 The Secretary shall enter into an agreement modifying
 10 the agreement entered into pursuant to section 339 of the
 11 Department of Transportation and Related Agencies Ap-
 12 propriations Act, 1993 (Public Law 102–338) to conform
 13 such agreement to the provisions of section 336 of the De-
 14 partment of Transportation and Related Agencies Appro-
 15 priations Act, 1995 (Public Law 103–331). Nothing in this
 16 section shall be construed to change the amount of the pre-
 17 vious appropriation in such section 339, and the line of
 18 credit provided for shall not exceed an amount supported
 19 by the previous appropriation. In implementing such sec-
 20 tions 336 and 339, the Secretary may enter into an agree-
 21 ment requiring an interest rate that is higher than the rate
 22 specified in such sections.

23 **SEC. 343. MISCELLANEOUS STUDIES.**

24 (a) *PAN AMERICAN HIGHWAY.*—

1 (1) *STUDY.*—*The Secretary shall conduct a study*
2 *on the adequacy of and the need for improvements to*
3 *the Pan American Highway.*

4 (2) *ELEMENTS.*—*The study to be conducted*
5 *under paragraph (1) shall include, at a minimum,*
6 *the following elements:*

7 (A) *Findings on the benefits of constructing*
8 *a highway at Darien Gap, Panama and Colom-*
9 *bia.*

10 (B) *Recommendations for a self-financing*
11 *arrangement for completion and maintenance of*
12 *the Pan American Highway.*

13 (C) *Recommendations for establishing a*
14 *Pan American highway authority to monitor fi-*
15 *nancing, construction, maintenance, and oper-*
16 *ations of the Pan American Highway.*

17 (D) *Findings on the benefits to trade and*
18 *prosperity of a more efficient Pan American*
19 *Highway.*

20 (E) *Findings on the benefits to United*
21 *States industry through the use of United States*
22 *technology and equipment in construction of im-*
23 *provements to the Pan American Highway.*

1 (F) *Findings on environmental consider-*
 2 *ations, including environmental considerations*
 3 *relating to the Darien Gap.*

4 (3) *REPORT.—Not later than 2 years after the*
 5 *date of the enactment of this Act, the Secretary shall*
 6 *transmit to Congress a report on the results of the*
 7 *study conducted under this subsection.*

8 (b) *HIGHWAY SIGNS FOR NATIONAL HIGHWAY SYS-*
 9 *TEM.—The Secretary shall conduct a study to determine the*
 10 *cost, need, and efficacy of establishing a highway sign for*
 11 *identifying routes on the National Highway System. In*
 12 *conducting such study, the Secretary shall make a deter-*
 13 *mination concerning whether to identify National Highway*
 14 *System route numbers.*

15 (c) *COMPLIANCE WITH BUY AMERICAN ACT.—*

16 (1) *STUDY.—The Secretary shall conduct a study*
 17 *on compliance with the provisions of the Buy Amer-*
 18 *ican Act (41 U.S.C. 10a–10c) with respect to con-*
 19 *tracts entered into using amounts made available*
 20 *from the Highway Trust Fund.*

21 (2) *REPORT.—Not later than 1 year after the*
 22 *date of the enactment of this Act, the Secretary shall*
 23 *transmit to Congress a report on the results of the*
 24 *study conducted under paragraph (1).*

1 **SEC. 344. COLLECTION OF BRIDGE TOLLS.**

2 *Notwithstanding any other provisions of law, tolls col-*
 3 *lected for motor vehicles on any bridge connecting the bor-*
 4 *oughs of Brooklyn, New York, and Staten Island, New York,*
 5 *shall continue to be collected for only those vehicles exiting*
 6 *from such bridge in Staten Island.*

7 **SEC. 345. NATIONAL DRIVER REGISTER.**

8 *Section 30308(a) of title 49, United States Code, is*
 9 *amended by striking “and \$2,550,000 for fiscal year 1995”*
 10 *and inserting “and \$2,550,000 for each of fiscal years 1995*
 11 *and 1996”.*

12 **SEC. 346. ROADSIDE BARRIER TECHNOLOGY.**

13 *Section 1058 of the Intermodal Surface Transpor-*
 14 *tation Efficiency Act of 1991 (23 U.S.C. 109 note; 105 Stat.*
 15 *2003) is amended—*

16 *(1) in subsection (a) by striking “median” and*
 17 *inserting “or temporary crashworthy”;*

18 *(2) in subsection (a) by inserting “crashworthy”*
 19 *after “innovative”;*

20 *(3) in the heading of subsection (c) by inserting*
 21 *“CRASHWORTHY” after “INNOVATIVE”;*

22 *(4) in subsection (c) by inserting “crashworthy”*
 23 *after “innovative”;*

24 *(5) in subsection (c) by striking “median”;*

25 *(6) by inserting “or guiderail” after “guard-*
 26 *rail”; and*

1 (7) by inserting before the period at the end of
 2 subsection (c) “, and meets or surpasses the require-
 3 ments of the National Cooperative Highway Research
 4 Program 350 for longitudinal barriers”.

5 **SEC. 347. MOTORIST CALL BOXES.**

6 (a) *EFFECTIVE CONTROL*.—Section 131(c) of title 23,
 7 *United States Code*, is amended—

8 (1) by striking “and (5)” and inserting the fol-
 9 lowing: “(5) signs, displays, and devices identifying
 10 and announcing free motorist aid call boxes and ad-
 11 vertising their sponsorship by corporations or other
 12 organizations, and (6)”;

13 (2) by adding at the end the following new sen-
 14 tence: “The Secretary shall ensure that spacing of
 15 signs, displays, and devices announcing motorist aid
 16 call boxes is reasonable.”.

17 (b) *SPECIFIC SERVICE SIGNS*.—Section 131(f) of title
 18 23, *United States Code*, is amended by adding at the end
 19 the following: “For purposes of this subsection, the term
 20 ‘specific information in the interest of the traveling public’
 21 includes identification, announcement, and sponsorship of
 22 motorist aid call boxes.”.

1 **SEC. 348. REPEAL OF NATIONAL MAXIMUM SPEED LIMIT**
 2 **COMPLIANCE PROGRAM.**

3 *Sections 141(a) and 154 of title 23, United States*
 4 *Code, and the item relating to section 154 in the analysis*
 5 *to chapter 1 of such title are repealed.*

6 **SEC. 349. ELIMINATION OF PENALTY FOR NONCOMPLIANCE**
 7 **FOR MOTORCYCLE HELMETS.**

8 *Subsection (h) of section 153 of title 23, United States*
 9 *Code, is amended by striking “a law described in subsection*
 10 *(a)(1) and” each place it appears.*

11 **SEC. 350. SAFETY REST AREAS.**

12 *Section 120(c) of title 23, United States Code, is*
 13 *amended by inserting “safety rest areas,” after “signaliza-*
 14 *tion,”.*

15 **SEC. 351. EXEMPTIONS FROM REQUIREMENTS RELATING**
 16 **TO COMMERCIAL MOTOR VEHICLES AND**
 17 **THEIR OPERATORS.**

18 *(a) EXEMPTIONS.—*

19 *(1) TRANSPORTATION OF AGRICULTURAL COM-*
 20 *MODITIES AND FARM SUPPLIES.—Regulations pre-*
 21 *scribed by the Secretary under sections 31136 and*
 22 *31502 of title 49, United States Code, regarding max-*
 23 *imum driving and on-duty time for drivers used by*
 24 *motor carriers shall not apply to drivers transporting*
 25 *agricultural commodities or farm supplies for agri-*
 26 *cultural purposes in a State if such transportation is*

1 *limited to an area within a 100 air mile radius from*
2 *the source of the commodities or the distribution point*
3 *for the farm supplies and is during the planting and*
4 *harvesting seasons within such State, as determined*
5 *by the State.*

6 (2) *TRANSPORTATION AND OPERATION OF*
7 *GROUND WATER WELL DRILLING RIGS.—Such regula-*
8 *tions shall, in the case of a driver of a commercial*
9 *motor vehicle who is used primarily in the transpor-*
10 *tation and operation of a ground water well drilling*
11 *rig, permit any period of 8 consecutive days to end*
12 *with the beginning of an off-duty period of 24 or*
13 *more consecutive hours for the purposes of determin-*
14 *ing maximum driving and on-duty time.*

15 (3) *TRANSPORTATION OF CONSTRUCTION MATE-*
16 *RIALS AND EQUIPMENT.—Such regulations shall, in*
17 *the case of a driver of a commercial motor vehicle who*
18 *is used primarily in the transportation of construc-*
19 *tion materials and equipment, permit any period of*
20 *8 consecutive days to end with the beginning of an*
21 *off-duty period of 24 or more consecutive hours for the*
22 *purposes of determining maximum driving and on-*
23 *duty time.*

24 (4) *DRIVERS OF UTILITY SERVICE VEHICLES.—*
25 *Such regulations shall, in the case of a driver of a*

1 *utility service vehicle, permit any period of 8 consecu-*
 2 *tive days to end with the beginning of an off-duty pe-*
 3 *riod of 24 or more consecutive hours for the purposes*
 4 *of determining maximum driving and on-duty time.*

5 (5) *SNOW AND ICE REMOVAL.*—*A State may*
 6 *waive the requirements of chapter 313 of title 49,*
 7 *United States Code, with respect to a vehicle that is*
 8 *being operated within the boundaries of an eligible*
 9 *unit of local government by an employee of such unit*
 10 *for the purpose of removing snow or ice from a road-*
 11 *way by plowing, sanding, or salting. Such waiver au-*
 12 *thority shall only apply in a case where the employee*
 13 *is needed to operate the vehicle because the employee*
 14 *of the eligible unit of local government who ordinarily*
 15 *operates the vehicle and who has a commercial drivers*
 16 *license is unable to operate the vehicle or is in need*
 17 *of additional assistance due to a snow emergency.*

18 (b) *EFFECTIVE DATE.*—*The provisions of subsection*
 19 *(a) shall take effect 180 days after the date of the enactment*
 20 *of this Act.*

21 (c) *REVIEW BY THE SECRETARY.*—*The Secretary may*
 22 *conduct a rulemaking proceeding to determine whether*
 23 *granting any exemption provided by subsection (a) is not*
 24 *in the public interest and would have a significant adverse*
 25 *impact on the safety of commercial motor vehicles. If, at*

1 any time, the Secretary determines that granting such ex-
 2 emption would not be in the public interest and would have
 3 a significant adverse impact on the safety of commercial
 4 motor vehicles, then the Secretary may prevent the exemp-
 5 tion from going into effect, modify the exemption, or revoke
 6 the exemption.

7 (d) DEFINITIONS.—In this section, the following defi-
 8 nitions apply:

9 (1) 8 CONSECUTIVE DAYS.—The term “8 consecu-
 10 tive days” means the period of 8 consecutive days be-
 11 ginning on any day at the time designated by the
 12 motor carrier for a 24-hour period.

13 (2) 24-HOUR PERIOD.—The term “24-hour pe-
 14 riod” means any 24-consecutive hour period begin-
 15 ning at the time designated by the motor carrier for
 16 the terminal from which the driver is normally dis-
 17 patched.

18 (3) GROUND WATER WELL DRILLING RIG.—The
 19 term “ground water well drilling rig” means any ve-
 20 hicle, machine, tractor, trailer, semi-trailer, or spe-
 21 cialized mobile equipment propelled or drawn by me-
 22 chanical power and used on highways to transport
 23 water well field operating equipment, including water
 24 well drilling and pump service rigs equipped to access
 25 ground water.

1 (4) *TRANSPORTATION OF CONSTRUCTION MATE-*
2 *RIALS AND EQUIPMENT.*—*The term “transportation of*
3 *construction materials and equipment” means the*
4 *transportation of construction materials, construction*
5 *finished related products, construction personnel, and*
6 *construction equipment by a driver within a 50 air*
7 *mile radius of the normal work reporting location of*
8 *the driver.*

9 (5) *ELIGIBLE UNIT OF LOCAL GOVERNMENT.*—
10 *The term “eligible unit of local government” means a*
11 *city, town, borough, county, parish, district, or other*
12 *public body created by or pursuant to State law*
13 *which has a total population of 3,000 individuals or*
14 *less.*

15 (6) *UTILITY SERVICE VEHICLE.*—*The term “util-*
16 *ity service vehicle” means any motor vehicle, regard-*
17 *less of gross weight—*

18 (A) *used on highways in interstate or intra-*
19 *state commerce in the furtherance of building, re-*
20 *pairing, expanding, improving, maintaining, or*
21 *operating any structures, facilities, excavations,*
22 *poles, lines, or any other physical feature nec-*
23 *essary for the delivery of public utility services,*
24 *including the furnishing of electric, water, sani-*

1 tary sewer, telephone, and television cable or
2 community antenna service;

3 (B) while engaged in any activity nec-
4 essarily related to the ultimate delivery of such
5 public utility services to consumers, including
6 travel or movement to, from, upon, or between
7 activity sites (including occasional travel or
8 movement outside the service area necessitated by
9 any utility emergency as determined by the util-
10 ity provider); and

11 (C) except for any occasional emergency
12 use, operated primarily within the service area
13 of a utility's subscribers or consumers, without
14 regard to whether the vehicle is owned, leased, or
15 rented or otherwise contracted for by the utility.

16 **SEC. 352. TRAFFIC CONTROL SIGNS.**

17 Traffic control signs referred to in the experimental
18 project conducted in the State of Oregon in December 1991
19 shall be deemed to comply with the requirements of section
20 2B-4 of the Manual on Uniform Traffic Control Devices
21 of the Department of Transportation.

22 **SEC. 353. BRIGHTMAN STREET BRIDGE, FALL RIVER HAR-**
23 **BOR, MASSACHUSETTS.**

24 Notwithstanding any other provision of law, the
25 Brightman Street Bridge in Fall River Harbor, Massachu-

1 *setts, may be reconstructed to result in a clear channel*
 2 *width of less than 300 feet.*

3 ***SEC. 354. MOTOR CARRIER SAFETY PROGRAM.***

4 *Section 31136(e) of title 49, United States Code, is*
 5 *amended—*

6 *(1) by inserting “(1) IN GENERAL.—” before*
 7 *“After notice”;*

8 *(2) by indenting paragraph (1), as designated by*
 9 *paragraph (1) of this section, and moving paragraph*
 10 *(1), as so redesignated, 2 ems to the right; and*

11 *(3) by adding the following at the end:*

12 *“(2) MOTOR CARRIER SAFETY PROGRAM.—*

13 *“(A) IN GENERAL.—The Secretary, within*
 14 *180 days of the application of an operator of*
 15 *motor vehicles with a gross vehicle weight rating*
 16 *of at least 10,001 pounds but not more than*
 17 *26,000 pounds, shall exempt some or all of such*
 18 *vehicles and drivers of such vehicles from some or*
 19 *all of the regulations prescribed under this sec-*
 20 *tion and sections 504 and 31502 of this title if*
 21 *the Secretary finds such applicant—*

22 *“(i) has a current satisfactory safety*
 23 *fitness rating issued by the Secretary; and*

24 *“(ii) will implement a program of*
 25 *safety management controls designed to*

1 *achieve a level of operational safety equal to*
2 *or greater than that resulting from compli-*
3 *ance with the regulations prescribed under*
4 *this section.*

5 *The Secretary shall modify the exemption if*
6 *there is a material change in the regulations pre-*
7 *scribed under such sections. In granting such ex-*
8 *emptions, the Secretary shall ensure that ap-*
9 *proved participants in the motor carrier safety*
10 *program are subject to a minimum of paperwork*
11 *and regulatory burdens.*

12 “(B) *MONITORING; EXEMPTION PERIOD.—*
13 *The Secretary and participants in the program*
14 *established by this paragraph shall periodically*
15 *monitor the safety of vehicles and drivers ex-*
16 *empted from regulations under the program. An*
17 *exemption approved under subparagraph (A)*
18 *shall remain in effect until such time as the Sec-*
19 *retary finds—*

20 “(i) *that the operator has exceeded the*
21 *average ratio of preventable accidents to ve-*
22 *hicle miles travelled for a period of 12*
23 *months for the class of vehicles with a gross*
24 *vehicle weight of at least 10,001 pounds but*
25 *not more than 26,000 pounds; or*

1 “(ii) that such operator’s exemption is
2 not in the public interest and would result
3 in a significant adverse impact on the safe-
4 ty of commercial motor vehicles.

5 “(C) *FACTORS.*—In approving applications
6 under the program established by this para-
7 graph, the Secretary shall—

8 “(i) ensure that applicants in the pro-
9 gram represent a broad cross-section of fleet
10 size and operators of vehicles between
11 10,000 and 26,000 pounds; and

12 “(ii) to the extent feasible, ensure par-
13 ticipation by as many qualified applicants
14 as possible.

15 “(D) *LIMITATION.*—The Secretary shall not
16 grant the exemptions set forth in subparagraph
17 (A) to vehicles—

18 “(i) designed to transport more than
19 15 passengers; including the driver; or

20 “(ii) used in transporting material
21 found by the Secretary to be hazardous
22 under section 5103 of this title and trans-
23 ported in a quantity requiring placarding
24 under regulations prescribed by the Sec-
25 retary under such section 5103.

1 “(E) *EMERGENCIES.*—*The Secretary may*
 2 *revoke or modify the participation of an operator*
 3 *in the program established by this section in the*
 4 *case of an emergency.*

5 “(3) *REVIEW OF REGULATIONS.*—*The Secretary*
 6 *shall conduct a zero-based review of the need and the*
 7 *costs and benefits of all regulations issued under this*
 8 *section and sections 504 and 31502 of this title to de-*
 9 *termine whether such regulations should apply to ve-*
 10 *hicles weighing between 10,000 and 26,000 pounds.*
 11 *The review shall focus on the appropriate level of safe-*
 12 *ty and the paperwork and regulatory burdens of such*
 13 *regulations as they apply to operators of vehicles*
 14 *weighing between 10,000 and 26,000 pounds. The Sec-*
 15 *retary shall complete the review within 18 months*
 16 *after the date of the enactment of this paragraph.*
 17 *Upon completion of the review, the Secretary shall*
 18 *grant such exemptions or modify or repeal existing*
 19 *regulations to the extent appropriate.”.*

20 **SEC. 355. TECHNICAL AMENDMENT.**

21 *Notwithstanding section 101(a) of title 23, United*
 22 *States Code, the projects described in section 149(a)(62) of*
 23 *Public Law 100–17 and section 1 of Public Law 100–211*
 24 *shall be eligible under section 204 of title 23, United States*
 25 *Code.*

1 **SEC. 356. SAFETY REPORT.**

2 *Not later than September 30, 1997, the Secretary of*
 3 *Transportation, in cooperation with any State which raises*
 4 *any speed limit in such State to a level above the level per-*
 5 *mitted under section 154 of title 23, United States Code,*
 6 *as such section was in effect on September 15, 1995, shall*
 7 *prepare and submit to the Congress a study of—*

8 *(1) the costs to such State of deaths and injuries*
 9 *resulting from motor vehicle crashes; and*

10 *(2) the benefits associated with the repeal of the*
 11 *national maximum speed limit.*

12 **SEC. 357. OPERATION OF MOTOR VEHICLES BY INTOXI-**
 13 **CATED MINORS.**

14 *(a) IN GENERAL.—Chapter 1 of title 23, United States*
 15 *Code, is amended by adding at the end the following:*

16 **“§ 161. National standard to prohibit the operation of**
 17 **motor vehicles by intoxicated minors**

18 *“(a) WITHHOLDING OF APPORTIONMENTS FOR NON-*
 19 *COMPLIANCE.—*

20 *“(1) FISCAL YEAR 1999.—The Secretary shall*
 21 *withhold 5 percent of the amount required to be ap-*
 22 *portioned to any State under each of paragraphs (1),*
 23 *(3), and (5) of section 104(b) on October 1, 1998, if*
 24 *the State does not meet the requirement of paragraph*
 25 *(3) on such date.*

1 “(2) *THEREAFTER.*—*The Secretary shall with-*
 2 *hold 10 percent (including any amounts withheld*
 3 *under paragraph (1)) of the amount required to be*
 4 *apportioned to any State under each of paragraphs*
 5 *(1), (3), and (5) of section 104(b) on October 1, 1999,*
 6 *and on October 1 of each fiscal year thereafter, if the*
 7 *State does not meet the requirement of paragraph (3)*
 8 *on such date.*

9 “(3) *REQUIREMENT.*—*A State meets the require-*
 10 *ment of this paragraph if the State has enacted and*
 11 *is enforcing a law that makes unlawful throughout*
 12 *the State the operation of a motor vehicle by an indi-*
 13 *vidual under the age of 21 who has a blood alcohol*
 14 *concentration of 0.02 percent or greater.*

15 “(b) *PERIOD OF AVAILABILITY; EFFECT OF COMPLI-*
 16 *ANCE AND NONCOMPLIANCE.*—

17 “(1) *PERIOD OF AVAILABILITY OF WITHHELD*
 18 *FUNDS.*—

19 “(A) *FUNDS WITHHELD ON OR BEFORE*
 20 *SEPTEMBER 30, 2000.*—*Any funds withheld*
 21 *under subsection (a) from apportionment to any*
 22 *State on or before September 30, 2000, shall re-*
 23 *main available until the end of the third fiscal*
 24 *year following the fiscal year for which such*
 25 *funds are authorized to be appropriated.*

1 “(B) *FUNDS WITHHELD AFTER SEPTEMBER*
 2 *30, 2000.—No funds withheld under this section*
 3 *from apportionment to any State after Septem-*
 4 *ber 30, 2000, shall be available for apportion-*
 5 *ment to such State.*

6 “(2) *APPORTIONMENT OF WITHHELD FUNDS*
 7 *AFTER COMPLIANCE.—If, before the last day of the pe-*
 8 *riod for which funds withheld under subsection (a)*
 9 *from apportionment are to remain available for ap-*
 10 *portionment to a State under paragraph (1), the*
 11 *State meets the requirement of subsection (a)(3), the*
 12 *Secretary shall, on the first day on which the State*
 13 *meets such requirement, apportion to the State the*
 14 *funds withheld under subsection (a) that remain*
 15 *available for apportionment to the State.*

16 “(3) *PERIOD OF AVAILABILITY OF SUBSE-*
 17 *QUENTLY APPORTIONED FUNDS.—Any funds appor-*
 18 *tioned pursuant to paragraph (2) shall remain avail-*
 19 *able for expenditure until the end of the third fiscal*
 20 *year following the fiscal year in which such funds are*
 21 *so apportioned. Sums not obligated at the end of such*
 22 *period shall lapse or, in the case of funds apportioned*
 23 *under section 104(b)(5), shall lapse and be made*
 24 *available by the Secretary for projects in accordance*
 25 *with section 118.*

1 “(4) *EFFECT OF NONCOMPLIANCE.*—If, at the
 2 end of the period for which funds withheld under sub-
 3 section (a) from apportionment are available for ap-
 4 portionment to a State under paragraph (1), the
 5 State does not meet the requirement of subsection
 6 (a)(3), such funds shall lapse or, in the case of funds
 7 withheld from apportionment under section 104(b)(5),
 8 such funds shall lapse and be made available by the
 9 Secretary for projects in accordance with section
 10 118.”.

11 (b) *CLERICAL AMENDMENT.*—The table of sections at
 12 the beginning of such chapter is amended by adding at the
 13 end the following:

“161. National standard to prohibit the operation of motor vehicles by intoxicated
 minors.”.

14 **SEC. 358. EFFECTIVENESS OF DRUNK DRIVING LAWS.**

15 The Secretary shall conduct a study to evaluate the
 16 effectiveness on reducing drunk driving of laws enacted in
 17 the States which allow a health care provider who treats
 18 an individual involved in a vehicular accident to report
 19 the blood alcohol level, if known, of such individual to the
 20 local law enforcement agency which has jurisdiction over
 21 the accident site if the blood alcohol concentration level ex-
 22 ceeds the maximum level permitted under State law.

Amend the title so as to read: “An Act to amend title 23, United States Code, to designate the National Highway System, and for other purposes.”.

Attest:

Clerk.

104TH CONGRESS
1ST SESSION

S. 440

AMENDMENTS